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Ontario. Niagara Parks Commission
Official documents; 1880-1895

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(QUEEN VICTORIA)
(NIAGARA FALLS PARK)

Official Documents

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AN ACT RESPECTING NIAGARA FALLS AND THE
ADJACENT TERRITORY.

STATUTES OF THE PROVINCE OF ONTARIO.

[43 Victoria—Chapter 13]

[Assented to 5th March, 1880]

Whereas it has been proposed that the Governments of Preamble
the Dominion of Canada and the State of New York should
take steps to restore, to some extent, the scenery around the
Falls of Niagara to its natural condition, and to preserve
the same from further deterioration, as well as to afford to
travellers and others facilities for observing the points of in-
terest in the vicinity; and whereas it is desirable that any ac-
tion that the Government and Parliament of Canada may
desire to take for the purpose of acquiring the lands in the
neighborhood of the Falls with a view to the said objects
should be aided in manner hereinafter appearing so far as
relates to any matter within the authority of the Legislat-
ure of Ontario.

Therefore Her Majesty, by and with the advice and con-
sent of the Legislative Assembly of the Province of Ontario,
enacts as follows :—

1. The Minister of Public Works of the Dominion of Ca-
nada may, if he thinks fit, acquire and take possession for
and in the name of Her Majesty of any land or real estate,
streams, waters, watercourses, fences and walls, the approp-
riation of which is, in his judgment, necessary or expedient
to be acquired or taken for the purposes aforesaid, and may
need, or be supposed to need, the authority of the Legislat-
ure of Ontario in this behalf. Minister of
Public Works
of Dominion
may acquire
land.

2. The said Minister may, if he thinks fit, for any such
purpose contract with all persons, guardians, tutors, curat-
ors and trustees whatsoever, not only for themselves, their
heirs, successors and assigns, but also for and on behalf of
those whom they represent, whether infants, absentees, luna-
tics, married women, or other persons otherwise incapable of
contracting, possessed of or interested in such lands, real
property, streams, water and water-courses; and all such
contracts and all conveyances or other instruments made in
pursuance of any such contract, shall be valid to all intents
and purposes whatever. May contract
with trustees
and with per-
sons under
disability.

3. The said Minister may, if he thinks fit, for the pur-
poses of the preceding section, take any proceeding which the
Commissioner of Public Works of Ontario is by the Revised
Statute respecting the public works of Ontario authorized to
take for acquiring or taking possession of any land, the
appropriation of which is in his judgment necessary to be
acquired or taken for the use of a public work, and the pro-
visions of the said Revised Statute shall, with the substitu-
Minister of
Public Works
to have powers
conferred on
Commissioner
of Public
Works by R.
S.O., c 30.

tion of the Minister of Public Works of Canada for the Commissioner of Public Works of Ontario, wherever the said Commissioner is mentioned or referred to in the said Act, extend to any action or proceeding taken under this Act, except that the arbitrators from time to time appointed under the Act respecting the Public Works of Canada passed by the Parliament of Canada in the thirty-first year of Her Majesty's reign, shall be the arbitrators to whom any matter arising under this Act shall be referred.

Powers of
court or judge

4. Any court or judge having authority under the said Revised Statute shall have the like authority in any similar proceeding taken under this Act.

Minister of
Public Works
not personally
liable.

5. Where, under and by virtue of this Act, any payment is to be made by the Minister of Public Works of Canada, the Minister of Public Works shall not under this Act be in any wise personally liable therefor, or for any proceedings had or taken by virtue of this Act.

Compensation
to be in place
of land or any
charge thereon

6. The compensation money agreed upon, or paid into court as is provided by the said Revised Statute respecting the public works of Ontario, or awarded by the arbitrators mentioned in section three of this Act, for any lands or property acquired or taken by the said Minister, and which may under this Act be taken by the said Minister without the consent of the proprietor, shall stand in the stead of such lands or property; and any claim to or encumbrance upon such lands or property shall, as respects the Crown, be converted into a claim to such compensation money or to a proportionate amount thereof, and shall be void as respects the lands or property themselves, which shall by the fact of the taking possession thereof under this Act, notwithstanding any irregularity in the previous proceedings, become and be absolutely vested in the Crown, as shall also any lands or property taken possession of by the Crown under this Act, whether there be or be not any conveyance, agreement, or award respecting the same, subject always to the determination of the compensation to be paid, and to the payment thereof when such conveyance, agreement, or award has been made.

Abandonment
of purchase.

7. In case the Minister of Public Works takes proceedings under this Act, and compensation is awarded by the arbitrators, if the said Minister has not taken possession of the land or property in respect of which such compensation is so awarded, he may, within six months after the publication of the award elect to abandon the proposed purchase, paying to the owner or occupier in whose favour compensation has been awarded any costs and charges reasonably incurred by such owner or occupier in and about the arbitration and other proceedings.

AN ACT FOR THE PRESERVATION OF THE NATURAL
SCENERY ABOUT NIAGARA FALLS.

[CHAPTER 21, 48 Victoria.]

[Assented to 30th March, 1885]

Whereas, the Government of the Dominion of Canada has not availed itself of the provisions of the Act passed in the forty-third year of Her Majesty's reign, entitled An Act Respecting Niagara Falls and the Adjacent Territory, and it is desirable that other means should be taken to restore to some extent the scenery around the Falls of Niagara to its natural condition, and to preserve the same from further deterioration, as well as to afford to travellers and others facilities for observing the points of interest in the vicinity;

Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows :

1. This Act may be cited as The Niagara Falls Park Act.

Short title

2. "Owner" or "owners" in this Act, besides including any person in whom the legal and equitable estates are vested, shall also include a mortgagor guardian, trustee and committee, and every guardian, trustee and committee shall have authority to agree as to compensation under this Act and bind the persons of whom he is the guardian, trustee or committee.

Interpretation

"Land" or "lands" shall include any parcel of land, stream, pond, water-course, fence and wall, and any easement in any land.

3. The Lieutenant-Governor in Council may appoint three persons who shall constitute a Board of Commissioners by the name of "The Commissioners for Niagara Falls Park" and the Lieutenant-Governor in Council may from time to time fill any vacancy that may occur in such Board.

Commissioners may be appointed.

4. The said Commissioners shall hold office during pleasure, and shall receive no compensation except their actual disbursements in performing their duties.

Tenure of office.

5. The Board of Commissioners are to select such lands in the vicinity of the Falls of Niagara within Ontario as are in their opinion proper to be set apart for the purposes set out in the preamble of this Act, and for that purpose shall have power to enter upon, examine, measure and survey such lands in the vicinity of the Falls as they deem necessary to enter upon and examine.

Selection of land.

Report of Commissioners as to mode of securing object proposed.

6. The Commissioners are further to report as to the plan which in their opinion ought to be adopted for securing the permanent appropriation of the lands for the objects hereinbefore mentioned; and for the improvement and preservation of the property, and as to the mode in which the same should be managed in order to secure the enjoyment of the same as a public park, together with such other matters as the Commissioners may think fit.

Map of land selected.

7. The Commissioners shall cause to be made a map of the land which they shall select, which map shall be certified by a majority of said Commissioners.

Land selected to be subject to Act if approved by Lieutenant-Governor.

8. In case the Lieutenant-Governor in Council approves of the selection or any part thereof, the lands so approved shall be subject to the provisions of this Act; and in case of such approval copies of the map with the lands marked thereon which shall have been approved as aforesaid, shall be filed in the office of the Registrar for the County of Welland and in the office of the Commissioner of Crown Lands upon the certificate of the Clerk of the Executive Council of Ontario.

Value of land to be ascertained.

9. The Commissioners shall thereupon proceed to ascertain the value of the lands selected and approved as aforesaid with a view to the same being purchased under the authority of this Act for the objects and uses hereinbefore mentioned.

Mode of ascertaining value.

10. For the purpose of ascertaining and determining the prices to be paid for the said lands, the Commissioners may agree with the respective owners as to the price and terms of payment, subject to the provisions of this Act; and if they are unable to agree the prices to be paid shall be determined by the Provincial Arbitrators in the manner provided for by the Revised Statute respecting the Public Works of Ontario; and all the provisions of the said Act, in regard to the mode of determining the compensation to be paid for lands or other property or rights to be acquired by the Commissioner of Public Works, shall apply as nearly as may be in determining the compensation to be paid for lands or other property or rights to be acquired for the purposes of this Act; but in lieu of making any tender the Commissioners may name a price which they are willing to fix as the price to be paid, and notice thereof to the owners shall stand in lieu of a tender. The compensation agreed to or awarded as aforesaid shall be the price to be paid for the lands or rights described in the agreement or award in case the same are taken under this Act or by the authority of the Legislature of this Province within two years after the passing of this Act.

Report as to value.

11. After the proceedings hereinbefore provided for determining the value of the lands selected, have been completed, the said Commissioners shall report to the Lieutenant-Governor their proceedings therein, with a statement of the parcels of land proposed to be taken, and the value thereof as determined by arbitration or agreement.

Transfer of right to acquire lands.

12. In case the report of the Commissioners so recommends, the Lieutenant-Governor in Council, after giving a

notice that proposals will be received from companies willing to undertake the establishment and maintenance of the park under the Act, and after a reasonable publication of the said notice, may transfer to any Trustees, or to a Company incorporated under the Letters Patent Act, or otherwise, the right of acquiring for the purposes aforesaid the said lands at the prices so agreed on or awarded, subject to the ratification of the transfer by the resolution of the Legislative Assembly.

13. Any transfer shall be subject to the following conditions : Conditions of transfer.

(1) The general park grounds of the company shall be open and free to the public without charge, subject to any general rules and regulations of the company as to management, approved of by the Lieutenant-Governor in Council, and in case of question or doubt the Lieutenant-Governor in Council is to determine what grounds come within this condition.

(2) The transferees may mortgage, either by bonds or otherwise, its revenues, but shall have no authority to mortgage or alienate any lands acquired within the limits selected and set forth as aforesaid, and the same shall be kept for public purposes in accordance with the true intent and object of this Act, and shall remain subject to the terms and conditions imposed by the charter granted, or otherwise, unless so far as such terms and conditions shall with the consent of the company be subsequently varied by the Lieutenant-Governor in Council by letters patent in that behalf.

(3) In case the transferees fail to purchase any parcel of land which they are entitled to purchase under this Act, they shall pay to the owner his costs of the proceedings before the arbitrators.

(4) If the transferees after paying for certain parcels of the land to be acquired, fail within such time as the Lieutenant-Governor in Council shall deem reasonable to acquire the residue of the land selected by the Commissioners, and approved by the Lieutenant-Governor as aforesaid, the Lieutenant-Governor in Council may incorporate another company with like powers, or with such variations as the Lieutenant-Governor in Council may think proper, and upon payment to the former transferees, or into the High Court, of the amount paid as compensation to the owners for the land, such new transferees shall be entitled to take possession of the lands, and to receive a conveyance thereof.

(5) The Lieutenant-Governor in Council, in making the transfer, may reserve to the Province the right of acquiring the lands from the company at such time and on such terms as may be stated in the instrument of transfer.

(6) The Lieutenant-Governor in Council, in making the transfer, may subject the transfer to such other restrictions and conditions as he may deem necessary in the public interest, having regard to the purposes of this Act.

Powers which
may be given
to transferees

14. The Lieutenant-Governor in Council may confer on the transferees under section 12 or 13 of this Act the following powers or any of them :—

(1) Power to establish and maintain a public park on the lands so acquired, and to make all improvements which the transferees may think necessary, and the Lieutenant-Governor in Council approve, to give full effect to the points of interest in and about the Falls, and which may be required for the comfort and convenience of the public.

(2) Power to construct and operate inclined planes and elevators to and from the water's edge of the Niagara River, and construct tramways and railways, with one or more set of rails, and to be worked by the force and power of steam, electricity, or of the atmosphere, or of animals, or by any mechanical power, or by any combination of them, in, over and upon the lands acquired by them, as the Lieutenant-Governor in Council may from time to time approve.

Provided always that the works shall not be commenced until the company has submitted to the Lieutenant-Governor in Council plans of their proposed works and the same shall have been approved by the Lieutenant-Governor in Council.

(3) Power to collect reasonable tolls for the use of the inclined planes or elevators, trams or railways, or other works or appliances which involve the expenditure of money for maintenance of service ; provided that all tariffs of the company shall be subject to the approval of the Lieutenant-Governor in Council.

(4) Power to move and change that portion of the present highway between the new suspension bridge and the Table Rock, back from the edge of river bank or cliff, to a distance not exceeding two hundred and fifty yards at any one point so as to permit the planting of trees, and the formation of an esplanade, and other improvements thereon ; in case of the removal of the present highway, the said transferees shall construct another and as convenient a highway, at their own expense, and the change of said highway shall not take place until the new and substituted highway shall have been constructed and approved by the Lieutenant-Governor in Council.

(5) Power to make any arrangement or agreement with any railway, road or bridge company, lawfully authorized in that behalf, for the use or otherwise of any railway, road or bridge, connecting with, or in the vicinity of the said property and for the better carrying out of the objects of the said company.

(6) Power to make rules, regulations or by-laws for the user of their property by the public, and for the maintenance

of order thereon, subject to the approval of the Lieutenant-Governor in Council ; and any person appointed to keep order, may, after taking the oath of office before a justice of the peace, and after his appointment, as approved in writing by the County Judge, act as and perform the duties, and be subject to the responsibilities, of a constable and peace officer within the limits of said property and the municipalities adjacent thereto.

15. The transfer and the grant of the said powers shall be subject to ratification by resolution of the Legislative Assembly.

Transfer subject to ratification by Legislative Assembly.

16. If the person conveying lands or property selected under this Act could not, without this Act, have conveyed the same or agreed for the compensation to be paid therefor, or if any owner or party to whom the compensation money or any part thereof is payable, refuses to execute the proper conveyance, or other requisite instrument of transfer of the lands, or if the person entitled to claim the compensation cannot be found, or is unknown, or if there is reason to fear any claim or incumbrance, the compensation money agreed upon or awarded may be paid into the High Court of Justice (with the interest thereon for six months), and a copy of the conveyance, or of the agreement or award if there be no conveyance, verified by affidavit, may be delivered to the registrar or other proper officer of the Court.

Payments of compensation money into court.

17. The compensation money for any lands acquired or taken under this Act without the consent of the proprietor, shall stand in the stead of such lands ; and any claim to or incumbrance upon such lands shall be converted into a claim to the compensation money or to a proportionate amount thereof, and shall be unavailing as respects the lands themselves.

When compensation to stand in place of the land.

18. Possession shall not be taken of any part of any lands valued as aforesaid until the amount agreed on or awarded for the same shall have been paid to the persons appearing to be entitled, or paid into court under the provisions of this Act.

Possession.

19. Where land selected and taken under this Act is subject to a mortgage or other incumbrance, it shall not be necessary to notify the mortgagee or other incumbrancers of any arbitration proceedings taken to determine the value of the land, unless the Commissioners intend to urge a price to be named which would be insufficient to pay off the incumbrance

When notice to incumbrancers required.

20. If the land is not taken and paid for within two years as aforesaid, the owner shall be entitled to receive the costs to which he has been put in any proceedings taken for determining by arbitration the value of his land ; the amount of costs shall be stated in the award of the arbitra-

Owner entitled to costs of land not taken.

tors, whether the arbitrators direct that the party shall be entitled to such costs in the event of the land being purchased, or direct otherwise.

Costs to be in discretion of arbitrators.

21. Subject to the provisions of the last section, the arbitrators shall have full authority to determine by and to whom any costs incurred in connection with any arbitration shall be paid, but any costs which should be paid by an owner to the Commissioners shall be directed by the award to be paid to the Treasurer of Ontario; the award as to costs shall not take effect until the land is purchased, and if any such costs are directed to be paid to the said Treasurer by an owner the same shall be paid to the said Treasurer and deducted from the price of the land.

Application of R. S. O. c 30 to proceedings under this Act.

22. For greater certainty, it is hereby declared that the following sections of the Act respecting the Public Works of Ontario, being Chapter 30 of the Revised Statutes, shall, as nearly as may be, and unless where inconsistent with this Act apply to proceedings to acquire the said lands under this Act that is to say, sections 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 40, 41, 42, 43 and 44 and the powers or rights which by the said sections, or any of them, are vested in the Commissioners of Public Works or the Crown, are hereby vested in the said Board of Commissioners, until and unless the right to purchase is transferred as provided by this Act, and thereafter the same are hereby vested in the transferees subject to the provisions of this Act; and in applying the provisions of the said Act while the Commissioners are acting, "the Board of Commissioners;" shall be substituted for "the Crown" or "the Commissioner", where either of the said expressions is used in the said Act; and in case of a transfer to others where the transferees are acting, the transferees by their corporate or other proper name, shall be substituted for the said expressions.

43 V. c. 13, repealed.

23. The act passed in the forty-third year of Her Majesty's reign, chapter 13, entitled An Act respecting Niagara Falls and the Adjacent Territory, is hereby repealed.

The Niagara Falls Park.

REPORT OF THE COMMISSIONERS, 18TH SEPTEMBER, 1885.

To the Honourable ARTHUR S. HARDY, Q. C., Secretary of the Province
of Ontario.

Sir,—In compliance with the terms of the Act of the Ontario Legislature, 48 Victoria, entitled “An Act for the preservation of the Natural Scenery about Niagara Falls,” authorizing the appointment of three Commissioners to be named “The Commissioners of the Niagara Falls Park,” the undersigned beg to submit the following preliminary Report:—

The Government having selected Mr. Geo. R. Pattullo, of Woodstock, as Secretary of the Commission, he entered upon his duties on the 1st May.

The services of Mr. John McAree, P.L.S., having been placed at the disposal of the Commission by the Honourable the Commissioner of Crown Lands, he was directed to obtain plans of the lands to be surveyed from the Registry Office of the County of Welland, which, after careful examination by the Commission, were found to be very useful as reliable references, and he was directed to make the necessary survey under instructions, a copy of which accompanies this report.

Before referring specifically to the survey and map of the proposed park, the Commissioners desire to submit some of the reasons which prompted them to extend the limits of the survey to a point near the Railway Suspension Bridge. They were not aware at that time how far down the river the reservation on the south (U.S.) side of the river would extend. Entertaining the opinion that it would be exceedingly desirable to restore and protect the bank of the river all the way down even below the Railway Suspension Bridge, and as far as the grand and unique scene of the whirlpool, which could be done at a small cost, considering the space to be protected being limited to the reservation of that portion of the bank called the Government Reserve, they instructed Mr. McAree to continue the survey to that point. Having ascertained that the New York State Reservation would not at present extend below the Suspension Bridge for common traffic, your Commissioners directed the surveyor to complete the details of the survey only to the eastern side of the public road called “Ferry Road,” next to the Clifton House, and from that point up the river according to instructions.

The survey is now completed, and a copy of the plan accompanies this report. All the lands, with the names of owners and tenants, are distinctly marked, with the area of each property, as well as the total area of what is recommended to be appropriated for the park.

The Commissioners, after having personally and carefully examined the ground, and after giving the subject of the reservation of a park their careful consideration, have laid down on the accompanying plan

a red line, showing the limits of the ground they would respectfully recommend as the land boundary of the park, the eastern and north-eastern boundary being the water on the Niagara River, including the Falls and extending to the upper limits of the Rapids. The area of land contained in the reservation recommended will be about 118 acres. The number of owners, as per accompanying schedule, giving the list of names and quantities, is 16 ; and the number of tenants and leaseholders is 11.

The object of the Act authorizing the appointment of this Commission being to secure free to the public the scenery in the vicinity of Niagara Falls, preserving as far as possible what still remains of the natural and original, and to endeavor to restore those portions of the ground on and near the bank of the river, within the limits surveyed, which have been denuded of trees, and are now occupied by a variety of buildings (most of them of inferior character and small value), to as near their natural condition as possible, by planting trees and otherwise, the Commissioners, appreciating the object of the Act, and with a desire to meet its requirements with the least possible financial outlay, have decided that by appropriating that portion of the ground between the river and the top of the bank, extending from the eastern boundary of the Ferry Road to the point near the head of the Rapids, as marked by the red line on the map, containing about 118 acres, the purposes of the act will be fully met. The brow of the bank is still for the most part covered with a good growth of timber, and hence preserves to a large extent its natural condition and appearance. The configuration of the bank is such as not to be of any special value either for cultivation or building purposes, but it affords a beautiful and natural boundary for the park.

Referring to clause 6 of the Act, which calls for a Report as to the plan, "Which in their opinion ought to be adopted for securing the permanent appropriation of the lands for the object hereinbefore mentioned," the Commissioners respectfully suggest that if the grounds recommended to be appropriated for a Public Park be approved as sufficient, they should be authorized to ascertain the value of the land so selected by such means as in their judgment would enable them to arrive at a fair and just value of each holding; that the same course be adopted as regards tenants, for the value of their rights, and to take all necessary steps as provided in Clause 10 of the Act. In the event of refusal by the owners or tenants of the sums offered by the Commission, recourse will have to be had to arbitration, as provided by the Act.

Under such conditions the Commissioners wish respectfully to submit that, in some of these cases, it may be necessary to secure the services of experts. The buildings, with the exception of those to which special reference is made, the Commissioners recommend to be removed.

There are three buildings on the property recommended to be appropriated for the public park, which the Commissioners recommend to be retained. One is a small, well-built lodge on the property to be taken from Mr. Bush ; another, known as the Museum, is also a substantial stone building ; third is a stone structure, the property and residence of Mr. Saul Davis. These buildings can be advantageously adapted for the residence of the superintendent of the park, policemen, guides and such other employees as may be required to protect the park and keep it in order.

With regard to the provision contained in clause No. 6 of the Act, which reads : "and for the improvement and preservation of the prop-

erty, and as to the mode in which the same should be managed in order to secure the enjoyment of the same as a public park, together with such other matters as the Commissioners may think fit," the Commissioners beg to report that, after giving all these provisions their best consideration, and with the view of harmonizing their action with that of the Commissioners of the "State Reservation" on the opposite side of the river, they would respectfully recommend that the possession of the property to be appropriated for the park, be retained by the Province of Ontario as the property of the Province, and that its management as a free park be also under Provincial control ; that all the existing buildings thereon be removed, except the three named ; that the machinery for the supply of water be also retained ; that the road now on the verge of the bank of the river be moved further back from it ; and that the ground within the boundary recommended be laid out and planted, not as a showy garden or fancy grounds, but as nearly as possible as they would be in their natural condition, reserving such points for the enjoyment of the views of the Falls and Rapids as on careful examination of the grounds may be found to be most suitable.

The Commissioners recommend that no hotels, refreshment rooms or booths, for the sale of refreshments or other articles, be allowed within the limits of the park. The ground occupied by the proposed park is not large, and is of a peculiar formation, being a long but narrow strip of land ; whilst that in the vicinity, especially on the top of the bank immediately adjoining the boundary recommended for the park, is admirably adapted for building purposes, where hotels and houses of entertainment could be built, all within a very short distance of and convenient to the park.

The Commissioners, in suggesting that the Niagara Park should be the property of the Province, with its management under Provincial control, do not desire to be understood as recommending that the funds for the purchase of the properties and necessary work, be provided out of the Consolidated Revenue of the Province.

At this period of their labour, and until they have ascertained what sum of money will be required to accomplish the desired object, the Commissioners can only throw out a suggestion, in very general terms, as to the mode of providing such funds.

When reporting on the financial requirements, they will endeavour to submit a scheme for providing the necessary funds ; they, however, have fair reason for entertaining the opinion that the scheme need entail no financial burden on the Province, but will become in the very early future self-sustaining.

The Commissioners observe that charges are made in the New York State reservation for the use of the inclined railway and for visiting the Cave of the Winds. That these charges are quite satisfactory is indicated by the largely increased number of visitors now daily attracted to the grounds.

The Commissioners have good ground to believe that views of the Great Cataract from the Canadian side are even superior to those in the United States, and that, following the example of our neighbors, equally reasonable charges for seeing and studying them could with like propriety be imposed. The revenue from these would do much toward

reimbursing the outlay necessary to secure the land and establish the park.

In submitting this, their preliminary report, the Commissioners are able only to make but a general allusion to what in their judgment will be required to make the Park, as it should be, as a part and parcel of the scenery belonging to the great cataract, so aptly termed by Mr. Carter, the orator of the day on the 15th of July last at the opening of the Free Niagara Reservation, "The Great Shrine to be visited, viewed and admired." They believe that the fitting time for entering into these details will be when they are in a position to state what will be the cost of the land recommended for the Park, the cost of removing the buildings that will not be required, the cost of enclosing the Park, which will be necessary, and the cost of such other works as the Commissioners may consider their duty to recommend to be carried out. They venture, however, to state their belief, which has been arrived at after giving the important subject their most earnest consideration, that no serious difficulties will be found in following the example of our United States neighbours ; in acquiring the necessary land, and doing what may be found necessary to preserve the scenery as well as to restore it wherever possible, at an outlay which will be considered moderate in itself in comparison to the great boon of relieving the public from charges and impositions now suffered by all who visit the great falls. At the same time by imposing a very moderate, and indeed trifling charge for seeing points of special beauty and interest, which will require the service of guides and mechanical appliances, a revenue will be acquired which in a reasonable time may reimburse the outlay.

The Commissioners would request an early decision on the sufficiency of the land recommended by them for the Park, and when that is approved, for authority to ascertain the value as provided by clause 10 of the Act.

Accompanying are vouchers for the expenditure thus far incurred by the Commissioners.

All of which is respectfully submitted.

C. S. GZOWSKI, Chairman.

J. W. LANGMUIR,

J. G. MACDONALD,

Commissioners.

GEO. R. PATTULLO, Secretary

Office of the Niagara Falls Park Commission, Toronto, 18th Sept., 1885.

REPORT OF THE COMMISSIONERS, 7TH DECEMBER, 1885.

To the Honourable Arthur S. Hardy, Q.C.,
Secretary of the Province of Ontario.

Sir,—The Commissioners of the Niagara Falls Park in proceeding to have the lands surveyed and marked out as proposed and selected by their report of the eighteenth of September last, have come to the conclusion that a line slightly different from that proposed by them in that report should be adopted.

They therefore have caused such line to be surveyed and marked out on the ground in lieu of having surveyed and marked the line originally proposed.

The line so surveyed and marked on the ground is shown on the plan herewith submitted, by a bright red line, and by the field notes of the surveyor, Mr. John McAree, P.L.S., accompanying this report.

The Commissioners respectfully recommend the adoption of this report.

C. S. GZOWSKI, Chairman.

J. W. LANGMUIR,

J. G. MACDONALD,

Commissioners.

GEO. R. PATTULLO, Secretary

Office of the Niagara Falls Park Commission, Toronto, 7th December, 1885.

COPY OF AN ORDER IN COUNCIL APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR, THE 14TH DAY OF DECEMBER, A.D., 1885.

His Honour the Lieutenant-Governor has had under consideration the report, dated 18th September last, of the Commissioners for Niagara Falls Park, appointed under the Niagara Falls Park Act, made by them as a preliminary to their selection and survey upon the ground of the lands to be set apart as a Park under the said Act, and also their report, dated 7th December, 1885, wherein they state, that upon proceeding to have the lands to be selected, surveyed and marked out, they came to the conclusion, that a line slightly different from that proposed in the said preliminary report, should be adopted, and that they have caused such line to be surveyed and marked out on the ground, in lieu of having the line originally proposed surveyed and marked out.

The Commissioners further report, that the line surveyed and marked out as aforesaid, is marked on the map certified by them, and which accompanies their report by a bright red line.

His Honour, upon the advice of the Executive Council, has been pleased to approve of the said selection of lands in the vicinity of Niagara Falls, made by the said Commissioners, and marked out and surveyed upon the ground as aforesaid, as being those lands, which in their opinion, are proper to be set apart for the purposes mentioned in the preamble of the said Act, and which said lands are shown on the said map, as bounded by a bright red line as aforesaid, and by the international boundary line on the Niagara River, and which said boundary line, so marked by a bright red line, is more particularly shewn by the survey of the ground by Mr. John McAree, P.L.S., and by his field notes, also accompanying the said report of 7th December, 1885.

His Honour further directs that a copy of the said field notes certified by the Clerk of the Executive Council of Ontario be filed with the said plan in the Registry Office of the County of Welland and in the office of the Commissioner of Crown Lands.

Certified.

J. LONSDALE CAPREOL,

Assistant Clerk Executive Council, Ontario.

REPORT OF THE COMMISSIONERS, 16TH MARCH, 1886.

To the Honourable Arthur S. Hardy, Q.C.,
Secretary of the Province of Ontario.

Dear Sir,—The undersigned regret that the unavoidable delay which arose in commencing the arbitrations with the owners of the lands taken for the Niagara Falls Park, not only postpones the giving of the awards by the Arbitrators, but, of necessity, prevents the Commissioners from submitting their final report until after the prorogation of the present Session of the Legislature.

This has caused the Commissioners to very carefully consider the effect that is likely to be produced by the postponement of the Park project for at least another year, the result of which consideration it is important to at once communicate to you.

The active measures taken since the appointment of the Park Commission, and the progress made to the stage of arbitrations, as well as the publicity given to the proceedings, inspired the general belief that the Government of Ontario, evidently with public approval, intended to carry out the Niagara Falls Park scheme without any delay. Postponement, therefore, for another year, will cause general regret and disappointment, and to the owners of the properties taken for the Park, very serious dissatisfaction.

In the cases of some of the properties yielding a revenue, the owners will be prevented from making repairs, improvements and other contemplated arrangements for carrying on their business. Others again, whose properties are included in the Park boundaries, seeing that the establishment of a free reservation on the American side had not only increased the value of property there, but had created a desire to own property within view of the Falls, cannot avail themselves of the favourable opportunity thus presented to offer their holdings for sale. To such it is quite evident that the delay will cause not only dissatisfaction, but possibly loss.

Another, but in our judgment still more important reason against delay, is the present unusually favourable period for obtaining the necessary funds to carry out the project; the existing condition of the money market, with the very large amount of accumulated capital seeking safe investment, offer rarely occurring advantages for the disposal of first-class securities on most favourable terms. This unusual state of things, not only in Europe, but in the United States and Canada, is not likely to continue. The Commissioners therefore think it extremely desirable not to lose so favourable an opportunity to obtain the necessary funds for establishing the Park.

Although the results of the submissions to the Arbitrators are still unknown, yet the evidence presented by both sides in the eight cases closed and only awaiting awards, with the additional information obtained in the course of these arbitrations, warrant the Commissioners in believing that the entire cost of establishing the Niagara Falls Park to the extent represented on the map already submitted and filed, will, in their opinion, not exceed \$500,000.

This sum will cover the cost of the expropriated land, enclosing the same, buildings, bridges to the islands, changing roads within the

Park, construction of elevators from the top of the bank to the water level, planting trees, laying out the grounds, and all preliminary expenses connected with the undertaking.

Assuming, therefore, that the entire cost of establishing the Park will not exceed \$500,000, the next most important point to consider is the question of obtaining sufficient revenue for the payment of interest on the bonds issued for founding the park, and maintaining the same. In this connection there are two very important considerations to which the Commissioners desire to give special prominence: Firstly, that the project shall entail no financial burthens whatever on the Province, but in the near future become entirely self-sustaining. Secondly, that the promise made shall be strictly kept, that the Niagara Falls Park shall be as free to the public on the Canadian side, as the Niagara Falls Reservation is on the United States side of the river.

The data already in possession of the Commissioners, although more than sufficient to establish the accuracy of their opinion on the ability of the Park scheme to become self-sustaining, are not yet complete, but when further collated will materially strengthen the opinion expressed in regard to the subject, as they will add to the sources from which revenue will be derived.

Attaching, therefore, the fullest importance to the points referred to namely a free Park, yet with a revenue sufficient to meet the interest on the bonds, and the cost of maintaining the Park, as well as the creation of a sinking fund to extinguish the capital debt, the Commissioners propose that the Park shall be absolutely free to all visitors who enter it in order to enjoy its natural beauties, and such views as it affords without artificial aid, not needing machinery, structures, guides, etc., but to charge a fee, not exceeding thirty cents, the first year (to be reduced hereafter) to all who may wish to see the magnificent and wonderful sights requiring guides and artificial aid.

This course will be substantially in harmony with that pursued on the United States side where charges are made for the use of the inclined railway, for visiting the "Cave of the Winds," and we are informed that other points of interest are to be made available to visitors for which additional fees are to be charged.

The amount required to be collected from visitors to the Park to meet the interest on the bonds and the cost of maintaining the Park will be about as follows, viz :

Four per cent. on \$500,000	\$20,000 00
Annual cost of maintenance, say	15,000 00
In all	<u>\$35,000 00</u>

To arrive at data on which to base the calculation of future revenue information has been obtained from the accounts kept of visitors by the Association which controlled the "Prospect Park" on the United States side of the river, showing that visitors were charged twenty-five cents for entrance to the Park, twenty-five cents for the use of the inclined railway, twenty-five cents for the view called "Shadow of the Rock" and one dollar for entrance to what was called "The Art Gallery," making a total of \$1.75 to those who wish to see all these points of attraction.

The following figures give the number of visitors in each year since 1882, viz :

Number of visitors in 1882 was.....	118,000
Number of visitors in 1883 was.....	128,000
Number of visitors in 1884 was.....	140,000
And up to the 15th July, 1885, the day on which the State of New York took possession and declared the reservation free	175,000
From the 15th July to the 2nd of October, inclusive, the number of visitors to the reservation, as ob- tained from Mr. Welch, the Superintendent, was	125,400
<hr/>	
Making the total number of visitors for the nine mon- ths of 1885	303,400

The returns for the remainder of 1885 will considerably augment these figures. Nearly all these visitors were excursionists, several thousand from Canada, who remained only a few hours at the Falls, arriving in the morning and leaving in the afternoon or evening. The travelling community, who stayed at the hotels and visited the Falls a number of times, are not included in the foregoing figures. These numbered upwards of 40,000 persons during the season, but the correct numbers when received will add materially to the total of 303,400 visitors. To obtain \$35,000, the annual amount required to pay the interest on the bonds and cost of maintenance, will require 116,667 visitors at 30 cents each ; that number being only about 38 per cent. of the total number of paying visitors, chiefly excursionists, who visited the Falls last year. The Commissioners are warranted in entertaining the belief that the calculations submitted of the revenue are largely within the amount that will be realized.

When in addition to the great attraction the Niagara Falls always possessed to visitors, there is added the great boon of free access from importunities by hackmen, curiosity vendors, photographers and others who, in plying their trades, have become an acknowledged imposition and nuisance, there will be an immense increase in the number of visitors.

We have carefully considered the question of a Canadian Park at Niagara Falls in all its bearings, not omitting the importance of its proving self-sustaining, and we do not hesitate to express the opinion that, on the financial basis submitted, there can be no doubt as to the sufficiency of revenue to be derived to pay four per cent. interest on \$500,000 bonds, together with the cost of maintenance.

The Commissioners, therefore, do not hesitate to recommend that the sum of \$500,000 be raised by the issue of bonds, payable in forty years, bearing four per cent. interest, payable half-yearly, the bonds to be either Niagara Falls Park bonds, guaranteed by the Province of Ontario, or the bonds of the Province of Ontario, to establish the Park. Further details in relation to the issue of these bonds need not be enlarged upon until the advisability of issuing them is decided.

In bringing this letter to a conclusion, we beg to add that we strongly recommend that the surplus revenue, after paying interest on the bonds and cost of maintenance, be applied, firstly, to the reduction

of the charges to the public, and secondly, to the creation of a sinking fund to pay off the bonds. The Commissioners venture to express their belief that within a very few years the amount so appropriated and invested on account of the sinking fund will be more than sufficient to pay off the bonds long before their maturity ; leaving the Niagara Falls Park free from debt, a most valuable productive estate, a permanent monument to the liberal and wise policy of the Government that had the generosity, combined with good taste, to establish it.

In the report of 18th September last, it was suggested that the Niagara Falls Park should be the property of the Province and its management retained under Provincial control. The Commissioners would again most earnestly press this on the consideration of the Government as the only policy worthy of being adopted by the Province of Ontario, in which this great natural wonder exists.

The Niagara Falls Park should be cleared of every obstacle that interferes with its natural beauty as a locality from which to see the great Cataract, and the privilege of seeing should be made free to all.

We have the honor to remain,

Your obedient Servants,

C. S. GZOWSKI, Chairman.

J. W. LANGMUIR,

J. G. MACDONALD,

Commissioners.

GEO. R. PATTULLO, Secretary

Office of the Niagara Falls Park Commission, March 16, 1886.

REPORT

OF THE COMMISSIONERS FOR NIAGARA FALLS PARK, 1887.

To the Honorable Arthur S. Hardy, Q.C., M.P.P.,
Secretary of the Province of Ontario.

Sir,—The Commissioners beg to report that the Arbitrators in the references made to them for the valuation and payment of lands taken for the Niagara Falls Park, have made their awards in all cases except two, one being the case of Mr. J. T. Bush, where a second reference became necessary.

This case has been heard, and although the Commissioners have not yet received the award, they have no reason to fear that the amount will be in excess of that originally awarded. The second case is that of the Thorold, St. Catharines and Suspension Bridge Road, respecting which provision has been made in the Act about to be submitted to the Legislature, providing for the contingency that had arisen in this case, which the Commissioners have every reason to believe will not alter the amounts already awarded.

The amounts awarded to the respective proprietors and the amounts offered by the Commissioners, are as follows :—

OWNER'S NAME	Awarded	Valuations and offers made by Commissioners.
Bush	\$ 34,000	\$ 27,500
Lyman Moore	2,900	1,675
Tench, E. A.	8,000	5,500
Tench, John	1,500	1,000
Robinson, Eliz....	3,600	3,500
Robinson, W....	3,600	3,500
Brundage	15,050	11,388
Buchanan, W. O....	21,767	17,861
Wood, Peter	14,000	11,400
Newton, W.	400	400
Clarke, P. S.....	2,500	1,500
Buchanan, Estate of James	1,550	1,000
Buchanan, Estate of R. S....	6,600	7,120
Davis, Saul	102,500	98,750
Davis, Ellen	35,000	25,000
Davis, Ellen, Prospect House	37,500	37,500
Gladstone, Mrs.	8,250	6,500
Toll gate	2,900	2,500
Macklem	100,000	26,175
Canada Southern	150	100
Vanderbilt	850	450
Brett	250	250
	<hr/> \$402,867	<hr/> \$290,569

From the above tabulated statement it will be seen that the total amount awarded is \$402,867, as against \$290,569 offered by the Commissioners, the difference between the two amounts being \$103,298. This large difference is chiefly confined to five out of twenty-three cases brought before the Arbitrators. In these five cases the principal evidence rested on the incomes the proprietors derived from charges made to the public visiting the Falls.

While the Commissioners did not anticipate so large a difference between the amounts offered by them and the amounts awarded by the Arbitrators, they cannot but realize the strength of the evidence on which the awards are founded, as affording proof of the very large number of visitors to the Falls, and which supports the view expressed by them in their former reports of the undertaking becoming self-sustaining.

The amount to be provided to pay for the land according to the award, being in excess of that offered by the Commissioners, compels them to increase the total amount necessary to carry out the Niagara Falls Park project by \$25,000, making the total amount required \$525,000.

During the past year the Commissioners endeavored to obtain as reliable information as possible from various sources, of the annual number of visitors to the Falls, and as far as that could be ascertained the average number for a period of several years may be safely estimated as between 200,000 and 250,000 persons per annum.

Notwithstanding that a little larger amount will be required for the purpose of carrying out the project, the Commissioners adhere to the recommendation made in their report of 16th March, 1886.

That the park shall be absolutely free to all visitors who enter it, to enjoy the natural beauties and such views as it affords without artificial aid, not needing machinery, structures, guides, etc.; but they advise that the maximum charge to visitors, who desire to see all the magnificent and wonderful sights, requiring guides and artificial aid, shall be 50 cents instead of 30 cents.

Based on such charge it will require 82,420 visitors annually, only one-third of the whole estimated number, to meet the cost of maintaining the park and to provide for the payment of interest and sinking fund on the bonds. The Commissioners' reports of 18th September, 1885, 7th December, 1885, and 16th March, 1886, have so fully referred to the subject in all its bearings, that they beg to refer you to them for further information.

In conclusion, the Commissioners beg to call your attention to the Act of the Legislature of Ontario, 48 Vict., and entitled "An Act for the preservation of the Natural Scenery about the Niagara Falls," which provides that the payment for the lands taken for the Niagara Falls Park must be made on or before the 28th day of March, 1887, in this Her Gracious Majesty's Jubilee Year.

We have the honor to remain,

Your obedient servants,

C. S. GZOWSKI, Chairman.

J. W. LANGMUIR,

J. GRANT MACDONALD,

Commissioners.

Office of the Niagara Falls Park Commission, Toronto, 5th March, 1887.

THE PARK ACT.

AN ACT RESPECTING THE NIAGARA FALLS PARK.

[50 Victoria, CHAPTER 13.]

[Assented to 23rd April, 1887]

Whereas, in pursuance of The Niagara Falls Park Act, the Lieutenant-Governor in Council did approve of certain lands selected by the Commissioners for the purposes set out in the preamble of the said Act ; and a map of the park shewing the boundaries thereof and the lands taken, was submitted to the Lieutenant-Governor and approved in Council, and copies duly certified and authenticated were filed and deposited in the office of the Registrar for the County of Welland, and in the office of the Commissioner of Crown Lands ; and whereas the prices to be paid for the said lands have been ascertained and determined, and it is expedient to make provision for the payment thereof, and for the means required to establish, maintain, improve, and develop the said lands, as and for a public park ;

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows !—

1. The Park shall be called “The Queen Victoria Niagara Falls Park,” and this Act may be cited as The Queen Victoria Niagara Falls Park Act, 1887.

2.—(1) From and after the commencement of this Act, Colonel Casimer Stanislaus Gzowski, of the city of Toronto, Aide-de-Camp to the Queen ; John Woodburn Langmuir, and James Grant Macdonald, both of the City of Toronto, Esquires, the persons forming the Board of Commissioners for Niagara Falls Park, and two other persons to be appointed by the Lieutenant-Governor in Council if he thinks fit, shall be a corporation by the name of “The Commissioners for the Queen Victoria Niagara Falls Park,” and shall continue to hold their respective offices, as members of the said corporation, during the pleasure of the Lieutenant-Governor in Council, and the Lieutenant-Governor in Council may, upon the death of any of such persons respectively, or on their resignation or removal from office, and from time to time thereafter, appoint other persons to fill their places during pleasure as aforesaid.

(2) The Commissioners shall receive no compensation except their actual disbursements in discharging their duties.

3.—(1) The lands selected by the Commissioners of Niagara Falls Park, approved by the Lieutenant-Governor, and marked upon the map, and contained within a red verge line marked on the said map, with the exception hereinafter mentioned, are hereby vested in the said corporation as trustees for the Province, subject to the payment being made which

is hereinafter mentioned. The amounts agreed to be paid or awarded, are to be paid upon proper conveyances being executed to the said commissioners, subject as hereinafter mentioned ; or in case no proper conveyance is executed, the money may be paid into Court, in accordance with and subject to the terms of The Niagara Falls Park Act and The Revised Act respecting the Public Works of Ontario as incorporated in the Park Act.

(2) The payment is to be made within fifteen days from the passing of this Act, with interest to be computed from the 30th March, 1887, to the day of payment, at the rate of six per cent. per annum ; and payment within such period shall be as effectual as if made within the period fixed for payment by The Niagara Falls Park Act.

(3) The costs, which shall be payable under awards where amounts are paid into Court, may be paid to such of the persons interested as appeared before the official arbitrators.

(4) The land so excepted is the following :

Excepting a strip of land, lying between Range No. 6, as laid down in the plan of the city of the Falls, in the township of Stamford, on the North, and by Street's Mill Road and the lands held by the Carmelite Monastery on the South, the easterly boundary whereof is at a distance of 130 feet east of the centre line of the Canada Southern Railway, and the westerly boundary whereof being the westerly line of the park as appears in the park plan, filed and registered, between said Range No. 6 and Street's Mill Road, and Monastery Lands and approximately of the width of seventy-nine feet between said Range No. 6 and Street's Mill Road, which said strip is by this Act excluded from the park ; and except also that until the municipal corporation otherwise orders by by-law, subject to section 546 of The Consolidated Municipal Act, 1883, Robinson and Murray streets shall be public entrances to the park for visitors by carriages, or on horses, or on foot.

Purchase of
part of St.
Catharines,
Thorold and
Niagara Falls
Road author-
ized.

4.—(1) The Commissioners may agree with the person or persons, or association of persons, whether incorporated or not, who exercise, own or control the taking and collecting of tolls upon that portion of the gravelled or macadamized road known as the St. Catharines, Thorold and Niagara Falls road, between Table Rock and the north boundary line of the park on the aforesaid plan marked, as well as the title, interest and possessory right, which such person or persons as aforesaid have to the said road and the land whereon the same is laid, out, together with the toll-house and appurtenances between the said points, for the price to be paid for the said rights to take tolls, and the title, interest and possessory rights, land, toll-house and appurtenances aforesaid ;

(2) And if the commissioners and the said persons as aforesaid are unable to agree, the sums to be paid shall be determined by arbitration in the manner provided by The Niagara Falls Park Act ; and any party to the arbitration may

appeal from the award in manner and according to the provisions of The Act respecting awards under the Niagara Falls Park Act.

(3) The right and power which the persons aforesaid have to collect tolls over the residue of the road known as the St. Catharines, Thorold and Niagara Falls road shall not be affected by reason of the acquisition by the commissioners of that portion between the Table Rock and the north boundary line of the park on the aforesaid plan marked, except by reason of the diminution of mileage, although that part of the road held or retained by the said persons beyond the limits of the park may be shortened to less than five miles in length.

(4) In case of an arbitration the arbitrators shall take into account any depreciation, if such there may be, in the value, to the persons aforesaid, of the remainder of the road.

(5) The arbitrators shall also determine the value of the whole road between Table Rock and a point about five miles therefrom in respect of which tolls are now collected, in order that the commissioners may have the opportunity of paying to the persons aforesaid, if sanctioned by the Legislature at its next session, the difference between the value of the whole road between said points and the value of the part hereinbefore mentioned of the road aforesaid; and in case of such payment being sanctioned and made within fifteen days after the end of such session, that part of the road built upon the military reservation or ordnance property shall vest in the commissioners, and the park shall then extend over and include, as well the military reservation, as the land lying between such reservation and the Niagara River, as far as the limit between lots number 92 and 93 of Stamford, but not affecting or interfering with the rights of any companies having bridges over the Niagara River. And all the provisions of this Act and The Niagara Falls Park Act shall apply to such extension of the park as if included within the park at the time of the passing of this Act, saving the reservation of a public way between the Clifton House and the limit between said lots 92 and 93, such public way being subject to reasonable tolls upon horses and carriages passing over the same.

(6) All costs in respect of the matters in this section contained shall be in the discretion of the arbitrators.

(7) Upon the acquisition by the commissioners of the interests and rights in that portion of the said road within the park as now limited, all rights to take and collect tolls, as well as the public rights in the said portion of the road, shall be extinguished.

(8) Nothing in this section is intended to extend to or affect any right or title of the Dominion of Canada to any property known as the military reservation or ordnance property.

5. The Lieutenant-Governor in Council may at any time, or from time to time, vest in the commissioners, to be held Grant of
Crown Lands
authorized

for the purposes of the Park, and subject to any conditions which may be imposed by Order in Council, any part or portions of the Crown Lands the property of Ontario, lying along the bank of the Niagara River, and not included in the original survey of lots laid out in the townships of Stamford and Niagara, which lands so vested shall thenceforth form part of the park and be subject to the control of the commissioners like the other lands aforesaid.

Power to
acquire lands

6. The provisions hereinbefore and in the former Act contained for authorizing the commissioners to take, use or acquire, and authorizing all persons to sell and convey, lands, hereditaments or rights, shall extend to any lands, hereditaments and rights which the commissioners, with the consent of the Lieutenant-Governor in Council shall hereafter think proper or expedient to be acquired for the purpose of making, forming and completing any new roads, avenues or approaches to the park, but nothing in this section contained shall authorize the commissioners to take any lands for the purpose aforesaid, against the consent of the parties interested therein.

Issue of de-
bentures
authorized.

7.—(1) The commissioners may raise, for the purposes and objects intended to be secured by The Niagara Falls Park Act and this Act, the sum of \$525,000. and no more, by the issue of debentures. The appropriation and application of the money shall be assured to the satisfaction of the Lieutenant-Governor.

(2) The debentures shall be under the corporate seal and the hands of two of the commissioners, and shall be countersigned by the Treasurer of the Province, and the same shall be for such respective amounts payable on the 1st of January, 1927, and at such rate of interest not higher than four per cent. per annum, and shall be disposed of at such prices and on such terms as may be determined by the commissioners, and approved by the Lieutenant-Governor in Council. The interest shall be paid half-yearly on such days as shall be mentioned in the debentures.

(3) The debentures shall, equally and without preference of one over the other, be a charge on all the revenues of the corporation, and the Lieutenant-Governor by Order in Council may also guarantee payment of the same.

(4) The debentures so issued and countersigned shall be conclusive of the same having been issued in pursuance of this Act, and of the same being guaranteed by the Province of Ontario.

(5) The debentures shall be transferable by delivery, and the coupons for interest annexed thereto shall also pass by delivery.

(6) The moneys to be raised by means of the said debentures shall be applied in paying the purchase moneys of the lands to be acquired, in making necessary improvements, constructions and appliances to be used in connection with the park, in recouping the Province for expenses incurred by

it with reference thereto, and in paying current expenses of the park and interest on the said debentures until a sufficient revenue for the said purposes is obtained from the fees charged.

8.—(1) Subject to any direction of the Lieutenant-Governor in Council, the commissioners may construct and operate inclined planes and hydraulic or other lifts, to be worked by any powers; and may build and operate boats or vessels to be used in connection with the park.

Powers of
Commission-
ers.

(2) Subject as aforesaid, the commissioners may pull down all houses and other erections and buildings on lands acquired and purchased by virtue of this Act, or such of them or such part thereof as they shall think proper to be pulled down, and may level and clear the ground whereon the same stand, in such manner as they think proper, and sell or cause to be sold the materials of the houses and other buildings to be taken down and removed; and the moneys to be produced by the sale thereof, after deducting expenses, and also the rents and profits to which they may be entitled meantime, shall be applied and disposed of for or towards the purposes of this Act.

(3) Subject as aforesaid, the commissioners shall lay out, plant and enclose the park in such manner as they think fit, and improve and develop the same in accordance with the objects of The Niagara Falls Park Act.

(4) Subject as aforesaid, the commissioners shall have power to take and collect tolls for the use of works, appliances, vessels, or works required to afford facilities to visitors to reach and view the points of interest within the park, and involving the expenditure of money in construction and maintenance, as well as for services to be rendered for the convenience or accommodation of visitors.

(5) Subject as aforesaid, the commissioners may from time to time make orders and regulations for opening and closing the gates and entrances of the park or any of them, at such hours as they may think fit. This is not intended to interfere with, or affect, an agreement which has been heretofore entered into between the commissioners and the Canada Southern Railway.

9. The plans of all works proposed, and all tariffs of tolls or payments for the use of works, vessels or services, as well as all by-laws, shall require the approval of the Lieutenant-Governor in Council before being acted upon.

Plans of works
tolls and by-
laws to be sub-
ject to appro-
val of Lieuten-
ant-Governor
in Council.

10. The park grounds shall be open to the public, subject to any rules and regulations as to management approved by the Lieutenant-Governor in Council.

Grounds to be
open to public

11.—(1) The Commissioners may make by-laws, to be approved by the Lieutenant-Governor in Council, for the use, government, control or management of the park, and for the protection and preservation of all works from injury of the same, and of the trees, shrubs, walks, seats, gates, fences and palings, and all other parts thereof, and for the exclusion of improper persons from the same, and may alter or revoke

Power of com-
missioners as
to by-laws.

any such by-laws, and shall appoint a penalty, not exceeding \$20, for any breach of a by-law.

(2) The commissioners may from time to time appoint such officers as may be required for the superintendence and management of the park, and may also appoint park keepers and other officers to preserve order in the park, and may from time to time dismiss any persons so appointed; the appointments or dismissals being subject to the approval of the Lieutenant-Governor; and the salaries of such officers shall be payable out of any funds in the hands of the commissioners.

(3) Any person entrusted by the commissioners with the custody or control of moneys, by virtue of his employment, shall give security in the manner and form provided by The Act respecting Public Officers.

(4) The commissioners may from time to time employ gardeners and workmen, as they may deem necessary, and may from time to time dismiss or dispense with the services of such persons, subject to any directions of the Lieutenant-Governor in Council.

(5) The commissioners shall cause books to be provided and kept, and true and regular accounts to be entered therein, of all sums of money received and paid, and of the several purposes for which the same were received and paid; which books shall at all times be open to the inspection of any of the commissioners, and of the Treasurer of Ontario, and of any person appointed by the commissioners or Treasurer for that purpose, and of any other person appointed by the Lieutenant-Governor; and the commissioners and persons aforesaid may take copies of or extracts from the said books.

Application of revenue. 12. The revenue to be received from the sources authorized by this Act shall be applied as follows:—

1st. To the necessary outgoing expenses of all works necessary to the preservation, improvement, and maintenance of the park, and to the payment of the salaries of officers and others employed by the commissioners, and other incidental expenses.

2nd. To the payment half-yearly of the interest payable on the debentures authorized to be issued by the commissioners.

3rd. To pay a sinking fund at the rate of one per cent. per annum on the entire amount of the debentures authorized to be issued as aforesaid.

Application of sinking fund. 13.—(1) The annual sums for the sinking fund shall be remitted by the commissioners to the Treasurer of Ontario by half-yearly payments in such manner as the Lieutenant-Governor in Council from time to time directs, for the investment and accumulation thereof under the direction of the Lieutenant-Governor in Council.

(2) The sinking fund shall be invested in such securities as the Lieutenant-Governor in Council from time to time thinks proper, and shall, whether invested or not, be applied from

time to time under the direction of the Lieutenant-Governor in Council in discharging the principal and the interest thereon of the debentures.

14. The commissioners shall make an annual report for ^{Annual report} the information of the Legislature, setting forth the receipts and expenditure of the year and such other matters as may appear to them to be of public interest in relation to the park or as the Lieutenant-Governor in Council may direct.

15. Sections 24 to 27 of The Act to provide for the better Auditing of the Public Accounts of the Province, shall ^{49 V. c. 24, ss. 24-27 to apply.} apply to the accounts of the commissioners in respect of receipts and expenditures.

16. Sections 12, 13, 14 and 15 of The Niagara Falls Park ^{48 V. c. 21, ss. 12-15 repealed.} Act are hereby repealed.

SECOND ANNUAL REPORT.
OF THE
Commissioners
OF THE
Queen Victoria Niagara Falls Park
1887.

To His Honor the Honourable

Sir Alexander Campbell, K.C.M.G.,

Lieutenant-Governor of the Province of Ontario :

Sir,—The Commissioners have the honour to report that, on the passing of the “Act respecting the Niagara Falls Park,” assented to on the 23rd day of April last, they applied for, and by an Order in Council, received authority to negotiate a temporary loan pending the negotiation of the Bonds which they obtained to pay for such properties taken for the use of the Queen Victoria Niagara Falls Park, as had been placed in the possession of the Commissioners.

Under the powers conferred upon the Commissioners by the 7th clause of the Act referred to, they made arrangements for the issue of \$525,000 Bonds under the designation of “Queen Victoria Niagara Falls Park Bonds,” redeemable in forty years from the date of issue, viz., in 1927, bearing 4 per cent. interest payable half-yearly in London England, the payment of principal and interest guaranteed by the Province of Ontario.

Tenders for the Bonds were called by advertising in London, England, New York, Montreal and Toronto.

The Bonds were sold at a premium of \$1.84 per cent., realizing \$534,667.14.

Authority having been obtained under clause No. 4 of the Act referred to, to acquire the rights and privileges of that part of the St. Catharines, Thorold and Niagara Falls road within the present limits of the Park, also to ascertain the value of the remaining portion of the road to its northern limit, reference had to be made to Arbitrators which resulted in an award that was accepted by the parties controlling that road.

The total amount awarded was \$7,500—\$4,000 of that amount to be paid for the portion of the road lying within the present limits of the Park.

This amount has been paid by the Commissioners.

The remaining amount of the award, viz., \$3,500 for that part of

the road extending from the present northern boundary of the Park to the northern limit of the road, is to be paid, if sanctioned by the Legislature at the present Session, within fifteen days after the end of the Session, with interest at 5 per cent. per annum.

The Commissioners beg to recommend that the required sanction be obtained to make that payment.

The Commissioners have also to report that in accordance with the Order of Council dated the 15th July last, passed on the report of the Commissioners dated the 27th June last, they have given notice to the occupiers of portions of the bank of the Niagara River near the Whirlpool Rapids, of their intention to take possession of these portions of the bank for the use of the Park.

Work in the Park has been much delayed by not obtaining possession of the several properties acquired, upon which stood a number of buildings that had to be sold and removed.

The Prospect House Hotel property was not given possession of until November, and the Table Rock House in December, and the Museum is still occupied by the proprietors.

All the buildings have been removed, with the exception of the Table Rock House and the Museum, with the small buildings attached to it.

The contents of the Museum building, owned by Mr. Saul Davis, required the erection of a suitable structure to receive them, and sufficient time was asked by him to build one. This is now in an advanced state towards completion, and will be ready for occupation early in March. (It is on the United States side of the river.)

A great deal of work has been done in the Park towards restoring it to the condition it should be placed in.

For detailed description of work done during last season, the Commissioners beg to refer to the accompanying Report of the Park Superintendent, Mr. James Wilson.

The Commissioners submitted for approval of the Lieutenant-Governor in Council a scale of Tolls to be charged to visitors for the use of Bridges and other artificial works requiring care and maintenance, also for the use of the Hydraulic Lift, leaving the entrance to the Park free.

An Order in Council authorizing the Commissioners to collect the proposed rates has been received. By-laws and regulations for the management of the Park are prepared, and will be submitted at an early day for approval by the Governor in Council.

The delay in obtaining possession of the several properties, which retarded the progress of works beyond the usual season for visiting Niagara Falls, caused the Commissioners to give the subject of commencing to charge visitors very careful consideration, and they decided on postponing collection of Tolls until next Spring, except for the use of the Elevator.

The works which might be executed in such an exceptionally wonderful locality as Niagara Falls Park are almost immeasurable in extent and variety, and can all be done without destroying, but rather aiding, the development of its importance and grandeur by giving greater opportunities to visitors to obtain better views of the Falls and Rapids.

The Commissioners' efforts have been devoted to limiting the expenditure to the smallest amount necessary to afford facilities for seeing and enjoying the great sights by removal of unsightly objects, construction of Hydraulic Lift for use of visitors desiring to go behind the sheet of water, making roads, bridges, paths and approaches to points of interest. A great deal has already been done in that direction, but more remains to be done next spring, for which the Commissioners have made necessary estimates and provision.

From the report of the Hon. Thos. V. Welch, Superintendent of the State Reservation at Niagara, who is the most reliable authority, the Commissioners find that the total number of visitors to the Reservation during the year 1887 was 166,280 ; this is less than previous year, or the year before. The chief reason for this falling off in numbers is attributed to the action of the Railway Companies in discontinuing car rates for excursion parties. :

The important question of revenue has constantly occupied the attention of the Commissioners, and while they see no particular reason for doubting that the number of paying visitors, at the rates in the schedule of Tolls, required to visit the Falls during the year, will be sufficient to pay for the maintenance of the Park and interest on the Bonds, they have, during frequent visits to the Park to examine the progress of works, been strongly impressed that some effort will be needed to draw the attention of the public generally to the establishment of the Niagara Falls Park on the Canadian side of the river, freed from annoying importunities and exorbitant charges.

Better acquaintance with the features of the Niagara Falls Park, its extent, especially in length, which is upwards of two and a half miles, and the locality of chief points of view of the Great Falls themselves, which are near the northern boundary of the park, and of the Rapids with the Islands, forming most attractive views which every visitor will desire to see, lying near the southern boundary of the park, has impressed the Commissioners with the necessity of making not only some provision for shelter from inclement weather, but also of places for rest and for refreshment, especially to pedestrians.

The Commissioners' former report contain the recommendation that no places of refreshment should be allowed within the Park.

More intimate knowledge of the configuration and extent of the Park, and the information which during the last two years has been acquired by the Commissioners that a very large proportion of visitors are pedestrians frequently accompanied by very young persons, caused them to reconsider that recommendation.

The time spent and fatigue incurred in viewing the Cataract and the Rapids convinced the Commissioners that it would add to the comfort and pleasure of visitors, as well as to the popularity of the Park, if in addition to resting places and shelters, refreshments could be supplied.

It was anticipated that hotels and other places of refreshments would have been established by private enterprise outside the western boundary of the Park, where there is abundance of very suitable ground for such purposes, but thus far no steps appear to have been taken.

The Commissioners intend to give this subject very careful consider-

ation during the coming season, and to submit their views to the Government.

The Commissioners beg leave to submit the following statement of Receipts and Expenditure in connection with the Queen Victoria Niagara Falls Park up to 31st December last, showing balance of \$165,109.65 remaining to the credit of the commissioners in the Imperial Bank, to be applied in payment of lands not yet taken possession of, and for other purposes provided by the Act.

Receipts.

Amount realizing from sale of the Queen Victoria Niagara Falls Park, Bonds (\$525,000)	\$534,667 14
Amount received from sale of sundry properties	1,142 05
Amount received from Tolls charged for visiting under Sheet of Water	1,716 25
Amount received for interest returned by J. T. Bush	662 33
Amount received previous to sale of Bonds (advanced by the Government).....	18,929 04
Amount received for Interest allowed by the Imperial Bank to 31st December, 1887.....	3,375 73
	<hr/>
	\$560,492 54

Expenditure.

Expenditure on original surveys and maps and on laying out and establishing the boundaries of the Park including Commissioners' expenses.....	\$ 3,547 69
Amount paid for land, including costs of arbitra- tions, legal expenses, and all items chargeable to Land Account	350,979 53
Amount expended on New Works, including cost of management and superintendence	26,045 93
Amount of Interest paid on temporary loan, and costs of advertising and preparing Bonds ...	4,309 74
Amount paid for Interest on the Bonds for half-year ending 31st December, 1887.....	10,500 00
Balance in the Imperial Bank, 31st December, 1887...	165,109 65
	<hr/>
	\$560,492 54

All of which is respectfully submitted.

(Signed) C. S. GZOWSKI, Chairman.

“ J. W. LANGMUIR.

“ J. G. MACDONALD.

“ JOHN A. ORCHARD.

REPORT OF THE PARK SUPERINTENDENT FOR THE YEAR 1887.

Niagara Falls, Ontario,

December 31st, 1887.

To Commissioners of the Queen Victoria Niagara Falls Park :

Gentlemen,—I beg to submit herewith a report on the works accomplished in the Park, under your directions, since my appointment as Superintendent, on the 5th day of May last.

Immediately on receiving instructions from Colonel Gzowski, the Chairman of the Board, I proceeded to the Falls and assumed control of the properties which had at that time been acquired by the Commissioners. As many of these properties were cumbered with unsightly wooden structures, of comparatively little value and useless for the purposes of the Park, they were disposed of by public auction on the 19th May, and immediately removed. The tidying of the grounds and filling in of cellars, etc., followed, and by the end of June the general appearance of a large portion of the property had been greatly changed and improved.

Fencing in of Grounds.

The boundaries of the Park had been clearly defined by iron monuments planted by Mr. M'Are, P.L.S., but owing to the conformation of the lands embraced it was considered necessary to enclose the whole by a substantial fence, having openings only where public entrances were required according to the Act. As the boundary is for the greater part along the very steep slope which naturally defines the westerly and southerly limits, the construction of the fence proved difficult and tedious, involving much extra labour in distributing and handling materials. A seven strand barb wire fence, with stout cedar posts, 8 feet apart, was selected as the most efficient and economical. On the north boundary, or along the side of the Clifton House Hill road, a neat iron post and plain wire railing was substituted.

Gates, Etc.

The gates and registering turnstiles, which are to be placed at the several entrances, have been procured, but they have not been put in position. The northern or principal entrance will have an ornamental iron gate, which it is intended to place under a suitable covering of cedar work. The western and southern entrances will have cedar gates of neat design, with rustic coverings to suit.

Bridges.

The bridges connecting with the several islands received early attention, and a large amount of work was required to place them in a safe and serviceable condition. The two Cedar Island bridges were found to be in a dangerous condition, and had to be almost entirely rebuilt—their proximity to the Falls, and consequently to the destructive influence of the spray, render them peculiarly liable to decay. A new and substantially built Howe truss was made to span the large openings of the bridge nearest Table Rock, the crib work piers were

rebuilt where necessary, superstructures renewed, and additional timbers provided, and all exposed wood work thoroughly coated with paint.

The two suspension bridges formerly designated "Castor" and "Pollux," together with the truss bridge near the latter, each received a thorough overhauling—new timbers being provided where required, and all exposed wood and iron work repainted.

The foot suspension bridge, leading from the beautiful walk around the base of "Clark" Hill to the Dufferin Island, and which, it is said, has been in use for a period of over thirty years, was found to be in need of extensive repair—two of the piers had to be entirely renewed, and the other two, which are also used as anchorage piers, were repaired and the concreting made good. The main anchorage at the west end of the bridge, besides being of faulty design, was found to be outside the limits of the Park. A new and suitable abutment was built within the Park grounds and the cables cut and properly secured thereto. As this bridge required stiffening, an additional set of cables and suspenders was put on, adding greatly to the stability of the structure; the whole of the wood and iron work was thoroughly painted.

In addition to these main travelled bridges, there are a number of smaller ones, of greater or less extent, but aggregating, with their approaches, a length of 910 feet, which carry the numerous walks through the Dufferin Islands over streams and to rests and points of interest—these were all entirely renewed, and in each case ornamental railings of cedar work provided.

The "Lover's Walk," a promenade extending for a considerable distance around the great bend of Dufferin Islands, and which rests upon crib work designed as a protection against the erosive action of the swift current, and of the ice upon the shore of the Island, required very considerable outlay, but it was absolutely necessary to entirely renew the whole of the work in order to preserve the bank from further damage, and maintain the Island in its integrity. The platform at the Cascade was also found to be in a very decayed condition, and had to be rebuilt. In each case good substantial cedar railings have been erected, and the crib work fully packed with large stones, and carefully planked over.

Roads and Paths.

From the first inception of the Park scheme it has been considered a *sine qua non* that the dusty roadway which extended from the Clifton House Hill to the Museum Garden should be abandoned, and the quiet contemplation of both the American and Horseshoe Falls, from the many excellent points of sight along the edge of the cliff, made possible to pedestrians without their being endangered by passing vehicles or enveloped in a cloud of dust. This has now been done; a substantially built roadway, of graceful alignment and easy gradients, has been constructed from the main entrance on the Clifton House Hill, at a point affording convenient access for carriages approaching from either the railway station or the International Suspension Bridge, thence sweeping by an easy curve past the Superintendent's office, and close to the large pond, where a drinking trough will be provided, by an easy and commanding route to a junction with the old road in front of the Museum Garden, where it is also joined by the road leading from the

western entrance of the Park, or Murray Street. This roadway has been made 18 feet in width throughout, or fully sufficient for two carriages to pass with ease, and it has a finely gravelled walk of four feet in width on either side, separated from the carriage by a narrow margin of sod. The sides and slopes of the paths have also been nicely trimmed and sodded, and both roadway and paths have had efficient drainage provided.

This Avenue is now a marked feature of the Park, and when additional shade trees have been planted and matured, and the turn-outs provided opposite the special points of interest on the edge of the Cliff, the effectiveness of the improvement will be still more apparent.

South of the line of Murray Street, the route of the old roadway along the river bank and through the beautifully wooded Cedar Island, was found to be the most desirable, and has been followed throughout, excepting at a point just south of the second bridge on Cedar Island, where a detour was made to carry the road over a knoll commanding an extensive view of the central part of the Rapids, and also affording visitors one of the most delightful of the many rainbow effects created by the ascending mist.

The old road bed was widened in all cases to a minimum of 18 feet, a heavy coating of gravel applied, and the entire width well-shaped and rolled to an even and hard surface.

In addition to the main roads, the southern entrance to the Park, which will be by the hill at the late Burning Spring, was carefully drained and gravelled, and a strong guard-rail put up along the river side of the slope.

A new turn-out was also made at the top, by which carriages ascending the hill can turn around with ease and proceed along the brow of the hill to the extreme end of the Park, thus affording a grand and comprehensive view of the surroundings of the noble river from above the head of the Rapids.

Gravelled Footways.

A broad and well-built walk has been constructed along the edge of the cliff from the northerly boundary to the Table Rock, and from thence, following closely the general line of the river bank, to the Dufferin Islands, a distance of one and three-fifths miles; where the path crosses the bridges connecting the mainland with Cedar Island, separate footways will be constructed so that pedestrians may not be endangered by passing vehicles. This pathway has been carefully rolled to an even surface, and affords a continuous view of the river and of the American shore.

A great deal of labor has also been expended in repairing the many winding pathways which traverse the Dufferin Islands in every direction.

It is generally conceded that a visit to the Falls which fails to embrace a ramble through the beautiful secluded by-ways and over the many rustic bridges which span the tiny streams dividing this group of islets is very incomplete, and that a very small proportion of the many thousands who come every year to contemplate the sights and enjoy the surroundings of the great Cataract, have as yet known the many attractions of this delightful retreat—renamed in honor of the nobleman who first projected the scheme for reclaiming the district for public benefit.

Drainage.

The swampy parts lying to the north of the Falls have been carefully sub-drained, and the numerous springs which flow out at the base of the wooded hill forming the natural boundary of the Park on the west, gathered to the drains in such a manner that the lands may be kept sufficiently dry for the cultivation of good sodding in place of the rank swamp grass heretofore existing, and yet provide for the free growth of plants which are here indigenous.

No attempt has been made to reclaim the wet lands south of the Falls, but abundant culvert accommodation was provided for the out-flow under the roads and walks.

Lift.

It was early decided that the comfort and convenience of visitors wishing to experience the sensations produced by a trip under the "Sheet of Water" required other and better facilities than the toilsome descent and ascent of the circular wooden stairway presently in use. After careful consideration of the requirements, it was decided to erect a powerful hydraulic vertical lift; a suitable location was found but a short distance from the Falls, where the cliff is nearly vertical instead of overhanging its base by many feet.

The preparation for, and erection of a work of this kind, within the scope of the spray's most potent influence, was an onerous one, which only those who have experienced its paralyzing effects can appreciate. But Mr. Fensom, of Toronto, an experienced builder of every variety of lifts, to whom this work was entrusted, has succeeded in accomplishing the task; all the machinery and appliances are now in good working order.

The Lift is sufficiently large to accommodate eight or ten visitors with their accompanying guides, and occupied but three-fourths of a minute in the upward or downward journey. The car runs in an open wrought iron tower of great strength and stability, designed with special reference to the requirements of the case, all its appointments have been found satisfactory.

The water required to work the Lift is brought in large pipes from the river above the Falls, a distance of some four hundred feet. These pipes are laid in a channel blasted out of the compact limestone rock—a tedious and somewhat expensive work—being entirely within the limits of recurring spray. A small outlay is still required to make this work complete.

Owing to the extraordinary accumulation of ice on all exposed objects in the immediate vicinity of the Falls, it was found necessary to encase the iron tower in which the Lift runs, with tight wooden shutters, having glazed openings for admission of light. These shutters will be removed in summer, affording on three sides an unobstructed view; and visitors will be able to enjoy the unfolding of the magnificent panorama as they gently glide down, in the open cage, to the pathway under the overhanging cliffs, by which they are conducted behind the falling waters.

Buildings.

For the accommodation of some of the employees, three of the buildings situated on the grounds have been preserved and fitted up as dwell-

ings, viz., the enclosed portion of the old wooden "Observatory" which stood on Cedar Island—this will be occupied by one of the gate-keepers, a portion of the old "Street" mansion has been made into a residence for the head-gardener, and the building at the late Burning Spring, near the southern limit of the Park, will be occupied by the gate-keeper at this entrance.

The occupancy of these positions by the officials of the Park will, it is hoped, materially assist in securing good order within its bounds, and prove a check on any who may be mischievously inclined.

The brick cottage, near the principal entrance, has been fitted up for the offices of the superintendent—its location and general arrangements being suitable for this purpose.

The large and substantially built stone structure, owned by Mr. Saul Davis, known as the Museum, has not yet been vacated, but it will be in the hands of the Commissioners before the end of March. It will then be necessary to determine to what use, if any, both it and the stone building known as the Table Rock House, shall be put to, or if the ends the Commissioners have in view can be better secured by removing one or both.

The Table Rock House is so frequently deluged with spray in summer, and surcharged with accumulations of ice in winter, that it is almost impossible to keep it weather proof, and in any case a large annual outlay will be necessary to its preservation. The Museum is further removed from the effects of the spray, and therefore does not require so large an outlay for its maintenance; but it cannot in any wise be described as an ornament to the Park, or in harmony with its surroundings.

The materials in these buildings are of considerable value, and can be advantageously used in many ways, should the demolition of the structures be resolved on by the Commissioners.

Wall at the Burning Spring.

Besides the works generally described above, others of an important character have been carried to completion. The poorly constructed stone retaining wall, protecting the river bank at the end of the bridge, near southern entrance, was undermined, and in danger of falling—it has been taken down, and a heavy wall of large stone laid in cement substituted.

The steep bank where the Park adjoins the grounds of the Carmelite Monastery required careful consideration, as the outbuildings and premises at some points were endangered by the slipping of soil from under them. A stone retaining wall would have involved a large outlay, besides being of doubtful utility from an engineering point of view, owing to the peculiar nature of the soil. Cribwork piers were therefore built upon a broad base, and connected by a revetment of stout timbers, which will answer every purpose.

The abandoned roadway along the cliff, north of Murray Street, was torn up, all useful stone removed, and the whole space covered over with six inches of good soil, which will be sodded or sown with grass in spring.

Many other works, small in themselves, but essential to the appearance and utility of the Park, have been performed, and in each case

care has been exercised to secure, as far as possible, works of a permanent character, so that the cost of maintenance in the future may be reduced to a minimum.

As the Prospect House Hotel and Table Rock House properties were not vacated until late in the season, nothing could be accomplished in the way of improving the grounds occupied thereby.

An auction sale of all the wooden structures connected with these properties was held on the 3rd of January, 1888, and most of them have already been removed. The filling up of depressions, and removal of foundation walls and other works necessitated by the change, must, of course, be deferred until spring.

The improvement caused by the removal of so many unsightly and glaring structures from the immediate vicinity of the Falls will be very apparent, and when the grounds occupied by these buildings have acquired their natural condition, and a few additional trees have been planted, the change will gratify every visitor and enhance the beauty of the scene from every point of view.

Notwithstanding all that has already been accomplished, a considerable outlay will still be required to put the works and grounds in a fair condition for future maintenance. At several points on the mainland, and on Cedar Island, the shores which are exposed to the swift current require protecting by means of cribwork, in some places slides have already occurred, and at others, the protection provided by former owners has been carried away and must be replaced, if the shore is to be maintained in its present form.

The turnouts from main driveway have also to be constructed, and connecting paths made to the path along the brink of the cliff.

Platforms and shelters are to be built at the two selected points of view on the cliff, and arbors or shelters at one or two points on the Dufferin Islands. The western entrance roadway requires to be graded and gravelled, and a pathway made to connect with the entrance from Robinson Street.

As already stated, the erection of the shelters at the entrance gates has still to be provided, and conveniences for visitors erected. These items, with the balance due on works already performed, and a reasonable allowance for filling in the cellars of buildings lately sold, will require additional expenditure.

The amount expended on the Works referred to in this Report, to the 31st December last, including cost of superintendence, is \$26,045.93. Owing to the dismantling of the bridges in the early part of the season, and the widening and repairing of the various roads later on, the Islands were of necessity closed to the public. I have not opened them since these works were completed, pending instructions from the Commissioners. For the same reason, and also on account of the Lift not being in working order, no steps have been taken towards the collection of revenues required for maintenance of the Park.

The whole respectfully submitted.

(Signed) JAMES WILSON,

Superintendent.

AN ACT TO GIVE CERTAIN POWERS TO THE COMMISSIONERS OF THE QUEEN VICTORIA NIAGARA FALLS PARK.

STATUTES OF THE PROVINCE OF ONTARIO.

[51 Victoria, CHAPTER 7.]

[Assented to 23rd March, 1888]

Preamble

Whereas the official arbitrators for Ontario by their award, made on 11th June, 1887, determined the sum of \$7,500 to be the value of the whole of that portion of the gravelled or macadamized road, known as the St. Catharines, Thorold and Niagara Falls Road, between Table Rock and a point about five miles therefrom, including the right of collecting the tolls, together with the toll-houses and appurtenances, and decided and ordered that the sum of \$4,000, part of the \$7,500, be paid by the Commissioners of the Queen Victoria Niagara Falls Park to the person or persons having the title, interest, and possessory rights to the said road, and rights appurtenant thereto, for the absolute purchase of that portion thereof within the Park; and whereas the sum of \$4,000 has been paid by the Commissioners to the said persons in accordance with the said award, and it is expedient that the sanction of the Legislature, as reserved by 50 Victoria, chapter 13, section 4, paragraph 5, be given for the payment of the residue of the value of the road as determined by the arbitrators, the proprietors being ready and willing to accept the same in satisfaction and discharge of the said valuation.

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Approval of acquisition of toll road.

1. The Commissioners of the Queen Victoria Niagara Falls Park are hereby authorized to pay to the person or persons having the title, interest, and possessory rights of that portion of the above described road, and not within the Park, the sum of \$3,500, with interest thereon at the rate of five per centum per annum from the date of the award and in full discharge thereof.

Rights of proprietors of road vested in commissioners

2. On such payment being made the rights, title, possession and franchises which were held and exercised by the St. Catharines, Thorold and Niagara Falls Road Company, or by the person or persons having the title, interest, and poss-

essory rights thereof in respect of that portion of the road for the valuation of which the sum of \$7,500 was awarded, shall, so far as related to that portion of the said road between the Table Rock and Niagara Falls Suspension Bridge on Lot 92, of Stamford, be and the same are hereby transferred to and vested in the Commissioners of the Queen Victoria Niagara Falls Park.

3. Subject to any direction of the Lieutenant-Governor the Commissioners may abolish the collection of tolls over the gravelled or macadamized road within the points above described. Tolls may be abolished.

4. In case of the collection of tolls over the said road being abolished, the Commissioners shall have power to construct and operate a street railway over the same ; and may build the same to any points or lands vested in the Commissioners ; and tolls on any such railway may be charged as provided by sections 8 and 9 of The Queen Victoria Niagara Falls Park Act, 1887. When tolls abolished, commissioners may construct street railway
50 V. c. 13.

5. The Commissioners shall have power to expropriate, in accordance with The Niagara Falls Park Act and The Act respecting Awards under The Niagara Falls Park Act, the interests of all or any persons in any land lying between the river and the road built on the chain reservation, and vested in the Commissioners under the authority of this Act or other Acts heretofore passed. Powers of expropriation.
48 V. c. 21 ;
49 V. c. 9.

Park By-laws and Regulations.

COPY OF AN ORDER IN COUNCIL, APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR THE 26TH DAY OF
APRIL, A.D. 1888.

N. 2042.

Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the accompanying By-laws and Regulations made by the Commissioners of The Queen Victoria Niagara Falls Park under the powers conferred upon them by "The Queen Victoria Niagara Falls Park Act, 1887," be approved of by Your Honour.

Certified,

J. LONSDALE CAPREOL,

Asst. Clerk Executive Council.

BY-LAWS AND REGULATIONS

made by the Commissioners of The Queen Victoria Niagara Falls Park under the powers conferred on "The Commissioners by the Queen Victoria Niagara Falls Park Act," 1887 :

First.—The Islands and Park shall be open to the public under the regulations of the Commissioners from the first day of May to the first day of October from 6 o'clock a.m. to sundown, and from the first of October to the first day of May from 8 o'clock a.m. to sundown, but the Superintendent may in his discretion permit the Islands to be visited at other hours, and the other portions of the said Park shall be open at such hours as the Superintendent may from time to time direct. At the hours of closing both entrance and exit shall cease, except by permission of the Superintendent.

Second.—No intoxicated person shall enter or remain upon any portion of the Park.

Third.—No child under 14 years of age shall enter or remain upon the Islands unless accompanied by and in charge of some person of mature years.

Fourth.—Picnics may be held in the Park at such times, within such restrictions and under such directions as the Superintendent shall from time to time give, and shall be subject to his supervision.

Fifth.—No person shall climb any tree, or break, cut, trample upon or remove, or in any way injure or deface any ornament, tree, plant, shrub, flower, flower bed, turf, or any of the buildings, fences, bridges, or other constructions within the Park, nor shall any person write on any building, structure, fence, bench, rock or stone within such Park.

Sixth.—No person shall post or affix any printed or written bill or

placard, notice or other paper or any sign upon any tree, structure or thing within the Park, or upon any gate, fence, or inclosure thereof.

Seventh.—No horse or other animal used for riding or driving, or vehicle of any description, will be allowed within the Park except upon the rides, drives, or other places appropriated for horses or carriages, nor will any vehicle drawn by any animal be allowed upon any foot-walks or bridlepaths, nor will any vehicle or animal used for driving or riding be allowed to stand upon any carriage road (except at such places as the Superintendent shall designate for that purpose) to the obstruction of the way or inconvenience of persons riding or driving in the Park, and no person shall solicit or invite a passenger for hire in the Park, nor shall any vehicle used for the carriage of passengers be allowed within the Park unless there is some passenger therein, or unless the same has been sent for or previously engaged by some person desiring to ride therein.

Eighth.—No person shall drive or ride faster than six miles an hour in said Park, or faster than a walk on any bridge therein. All hackmen and drivers shall demean themselves in an orderly and respectful manner, and for any breach of this regulation or of the foregoing seventh regulation, or for any extortion or attempt at extortion by any hackman or driver from any person carried by him to said Park or any part thereof, the person offending may be excluded by the Superintendent from the Park for the remainder of the current year, or for such less time as he shall see fit.

Ninth.—No intoxicating liquor or beverage shall be sold in the said Park ; no person shall fire or discharge any gun, pistol or other firearm, torpedo, rocket or other firework upon said Park, or within said Park solicit patronage to or for any person or persons, occupation or business ; nor shall any person within said Park beg or publicly solicit subscriptions or play any games of cards or any other game of chance ; or utter loud, threatening, abusive or indecent language, or any language tending to create a breach of the Peace, or be guilty of any disorderly conduct therein ; nor shall any person make any oration, public speech or harangue therein, except by the written license of the Superintendent.

Tenth.—The following tolls shall be taken and collected for the use of works and appliances required to afford facilities to reach and view points of interest within the Park :—

- 1.—Entrance of carriages and persons on foot to the
Park Free.
- 2.—Toll for each person on foot for crossing the
bridges connecting the Islands, use of artificial
walks on Island to view rapids.....10 cents.
- 3.—Toll for carriage for crossing bridges connecting
the Islands, including all its occupants50 cents.
- 4.—Toll for each person for use of lift to go under
sheet of water and for clothing and
guide 50 cents.

Every person who shall offend against any of the foregoing by-laws shall be liable for every such offence to a penalty not exceeding twenty dollars.

Provided, nevertheless, that the Justices or Court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this by-law.

Given under the common seal of the Commissioners the 24th day of April, 1888.

(Corporate Seal).

Grant of Lands along the Bank of the Niagara River between the Park and Queenston

26th April 1888.

PROVINCE OF ONTARIO.

A. CAMPBELL

GREAT SEAL
OF THE
PROVINCE.

VICTORIA, BY THE GRACE OF GOD OF THE UNITED
KINGDOM OF GREAT BRITAIN AND IRELAND, QUEEN,
DEFENDER OF THE FAITH, &c., &c, &c.

To All to Whom These Presents Shall Come :

GREETING :—

Know Ye that we, of our own special Grace, certain knowledge and mere motion, have given and granted, and by these Presents do give and grant unto

The Commissioners of the Queen Victoria Niagara Falls Park, in fee simple, all those parcels or tracts of land situate in the Township of Stamford, in the County of Welland, and in the Township of Niagara, in the County of Lincoln, in our said Province, being composed of all those pieces or strips of land which lie along the banks of the Niagara River, in the Township of Stamford and County of Welland, between the lots hereinafter mentioned and the river, beginning at the north boundary of the Park opposite the Clifton House, and lying in front of Lots Number One Hundred and Twenty-nine, and Broken Front of One Hundred and Twenty-nine, and Number One Hundred and Twentyeight, One Hundred and Eleven, One Hundred and Ten, Ninety-three, Ninety-two, Seventy-five, Broken Front of Seventy-four, Broken Front of Fifty-nine, Number Fifty-eight, Broken Front of Fifty-eight, Broken Front in front of Number Forty-one, Numbers Forty, Twenty-one, Twenty and One of the said Township of Stamford, and the Cross-concession or Gore in Stamford, and those pieces or strips of land which lie along the bank of the River Niagara, in the Township of Niagara, in the County of Lincoln, in front of surveyed lands in front of lots numbers one, two and three of the said township, as far as the Town of Queenston.

Given under the Great Seal of our Province of Ontario : Witness, the Honourable Sir Alexander Campbell, Knight Commander of our most distinguished Order of St. Michael and St. George, a member of

our Privy Council of Canada, Lieutenant Governor of our said Province of Ontario,

At Toronto, this Twenty-sixty day of April, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-first year of our reign.

By command of our Lieutenant-Governor in Council.

ARTHUR S. HARDY,

Secretary.

AUBREY WHITE,

Assistant Commissioner of
Crown Lands.

Recorded 10th May, 1888, John H. Usher, Deputy-Register.

Feat No. 7141, F. F., Dis. No. 21760, R. J., J. M. G.

Amending Park By-laws.

COPY OF AN ORDER IN COUNCIL, APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR, THE 20TH DAY OF
NOVEMBER, A. D. 1888.

Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that the following items, which the Commissioners of the Queen Victoria Niagara Falls Park recommend, should be added to the tariff of the tolls to be taken and collected for the use of works and appliances required to afford facilities to reach points of interest within the Park, be approved of by Your Honour, under the provisions of 50 Vic., cap. 13, s. 9.

Toll—For carriage for crossing bridge connecting
the islands, drawn by one horse, with only
two occupants 25 cents.

Toll—For each person for use of lift without
waterproof dress and guide 25 cents.

Certified,

J. LONSDALE CAPREOL,

Asst. Clerk Executive Council.

Toronto, 5th February, 1889.

The Honorable

John Morrison Gibson, M. P. P.,

Secretary for the Province of Ontario.

Sir,—I have the honour to transmit herewith, to be presented to His Honour the Lieutenant-Governor, the Third Annual Report of the Commissioners for Queen Victoria Niagara Falls Park, being for the year ending 31st December, 1888.

I have the honor to be,

Sir,

Your obedient servant,

C. S. GZOWSKI,

Chairman.

THIRD ANNUAL REPORT
OF THE
Commissioners
FOR THE
Queen Victoria Niagara Falls Park
1888.

To the Honourable Sir Alexander Campbell, K.C.M.G.,
Lieutenant-Governor of the Province of Ontario.
May it please Your Honor :

As required by Statute, the Commissioners beg to present the Third Annual Report of their proceedings in connection with the Queen Victoria Niagara Falls Park.

In their previous annual and supplementary reports the Commissioners have given, in a more or less fragmentary way as occasion required, pretty full information in respect to the work undertaken by them, on behalf of the Province, with a view to establishing a Provincial Park at the Falls of Niagara. Now, however, that the duties devolving upon them, in connection with the acquisition and development of the property has been so far performed as to allow the Park to be thrown open to the public on the 24th May last, it is perhaps desirable that a brief resume should be given of the scheme from its initiation up to the close of the past year.

At the outset it should be recorded, as an interesting historical fact, that the conception of rescuing the environments of Niagara from the vandalic desecration of the preceding half century originated with the Earl of Dufferin, at an interview he had in 1878 with Governor Robinson of the State of New York. Upon the strong recommendation of the latter, commissioners were appointed by the Executive of New York State in 1883, to acquire and establish what is now designated "The State Reservation of Niagara," which was formally opened on the 15th of July, 1885.

Believing that the work of restoring the scenery of the Canadian side of the river properly devolved on the Government of the Dominion of Canada, the Legislature of Ontario passed an Act in 1880 giving effect to that view and conferring on the Dominion, so far as it could, the requisite authority to proceed with the undertaking.

As, however, the Government of the Dominion did not avail itself of the provisions of the Act in question, the Legislature of Ontario, after patiently waiting five years for the Dominion to take action, pass-

ed an Act in 1885 enabling the work to be proceeded with.

This Act provided for the appointment of three persons who should constitute a Board of Commissioners by the name of "The Commissioners for Niagara Falls Park," who were to serve during pleasure and without compensation. The Board was charged with the duty of selecting such lands as were in their opinion proper and requisite "to restore to some extent the scenery around the Falls of Niagara to its natural condition, and to preserve the same from further deterioration; as well as to afford travellers and others facilities for observing the points of interest in the vicinity." For the purpose of ascertaining and determining the prices to be paid for the lands required, the Commissioners were authorized to negotiate with the owners, and if they could not agree as to the price and terms, the question was to be referred for determination to the Provincial Arbitrators under the provisions of the Revised Statute respecting public works of Ontario.

The three Commissioners whose names are first subscribed to this Report were on the 21st of April, 1885, appointed, when they at once proceeded to the discharge of their duties. The greater portion of the remainder of 1885, was spent in making a careful inspection and survey of all the territory which, in their opinion, should form part of the proposed Park.

In fixing the boundaries the Commissioners had first to consider the object and scope of the undertaking, with the view of incorporating every essential feature and detail which the Act prescribed in the plan of restoration. Regard was then had to the judicious and careful expenditure of the funds entrusted to them; keeping this prominently before them, the Commissioners determined to recommend for expropriation only such properties and to such extent as were absolutely necessary for the accomplishment of the object in view.

Differing from the topographical outlines of the New York State Reservation, it was found that nature had so clearly marked out what should constitute the Ontario Park, that in determining its boundaries these natural outlines could neither be ignored nor changed. Commencing at the Clifton House and extending along the banks of the river for two and a half miles with ever changing views of both the American and Canadian Cataracts, foaming rapids seen through spray and mist, and the whole framed in with the western background of a beautifully wooded hillside, nature had formed one of the most beautiful and unique natural Parks on the continent.

The territorial area included within these natural boundaries comprises about 154 acres, all of which it was considered essential to acquire in order to ensure completeness of the general plan of restoration. The Commissioners, therefore, gave instructions to have the surveys made and the plans prepared, which, with their Report and recommendations, were transmitted to the Provincial Secretary for the consideration of the Government. On the 14th of December, 1886, an Order in Council, approved by His Honour the Lieutenant-Governor, was passed, confirming "the selection of the said lands in the vicinity of Niagara Falls made by the said Commissioners and marked out and surveyed upon the ground as being the lands which, in their opinion, are proper to set apart for the purposes mentioned in the Act."

Immediately following the approval of the selected properties, the Commissioners were authorized to employ experts to value the lands, buildings and improvements in order that they might, if possible, agree with the respective owners as to the price and terms of payment. This work was completed in January, 1886, but as the Commissioners were unable to negotiate terms, except in two instances, the Solicitor for the Board, Mr. Aemilius Irving, Q.C., immediately proceeded with the preparation of the references to be submitted to the Provincial Arbitrators under the provisions of The Public Works Act of Ontario. Some delay arose in commencing the arbitrations, but they were finally entered upon and practically completed before the close of 1886, with the result that the land and premises selected by the Commissioners were acquired for the purposes of the Park at a cost, including arbitration expenses, of \$436,813.24, as per statement.

It has been stated that the area of the Park is 154 acres. This, of course, embraces all the land as well as the water inlets forming the Duherin Islands, lying between the edge of the Niagara River and the hillside, which forms the natural western boundary. It will thus be seen that the cost of the Ontario Park was \$2,836.45 per superficial acre. From the reports of the Commissioners of the New York State Reservation, it would appear that the area acquired for the State of New York was 107 acres, costing \$1,452,810.44, or about \$13,588.33 per superficial acre.

In instituting a comparison of the cost of the respective properties, it should be borne in mind that in arriving at the value of the land expropriated in both Parks, the arbitrators had to take into consideration not only the extent and position of the land and cost of improvements, but also their revenue bearing qualities.

With respect to the properties expropriated for the Ontario Park it was found that there were only two, of any importance, which required to be dealt with, as of a specially productive character — the "Macklem Estate" and the "Saul Davis Estate," comprising museum, hotel, etc. The owner of the former derived a considerable revenue from the fees paid by visitors to the Islands and the Burning Springs on the property, and in the case of the Davis property a large and profitable business had been built up in connection with the museum and hotel. In the expropriation of the New York State Reservation the owners of the Prospect Park, with an area of only about fifteen acres, received as much, within \$100,000, for their property as was paid for the entire Park in Ontario. This amount was allowed them on the ground of the very large revenue the Park was earning from entrance fees paid by visitors. In the case of Goat Island property, including the small islands, with an area of seventy-four acres, the proprietors received \$525,000, owing, of course, to the fact that the revenue from visitors was not nearly as large as at Prospect Park.

Having secured an appraisal of the lands in the manner prescribed by the Act, the Commissioners had then to devise and recommend to Government a scheme for the establishment and future maintenance of the Park. This necessarily brought up the question as to how the property and its proposed improvement were to be paid for. The Act provided that in case the Report of the Commissioners so recommended, the Lieutenant-Governor in Council, on giving notice that proposals would be received from companies willing to undertake the estab-

lishment and maintenance of the Park, subject to certain stringent conditions in respect to the raising of revenue from tolls, etc., might transfer to any trustees or to a company incorporated under the Letters Patent Act, the right of acquiring, for the purpose of a Park, the lands selected, at prices agreed or awarded, subject to ratification by the Legislative Assembly.

It will be obvious that on the proper solution of the problem of future maintenance largely depended the success or failure of the undertaking. Suffice it to say, that after the most careful and exhaustive consideration of the subject, the Commissioners arrived at the conclusion and reported to Government that it was not in the public interests that the Park and its franchise should, under any conditions, belong to a private company, and that the only policy worthy of adoption by the Province in which the great natural wonder is placed was, that the Park should be the property of the Province, and its management entirely under Provincial control.

To provide means for payment of the land awards and partial improvements, the Commissioners recommended the issue of \$525,000 forty year bond bearing four per cent. interest, which is to be a charge on the revenues of the Park ; with principal and interest to be guaranteed by the Province.

These recommendations received the approval of the Government, and the functions of the Commissioners appointed under the Act of 1885 were practically brought to a close by the acquisition of the Park. In order, however, to give effect to the final recommendations of the Commissioners, the Government passed an Act in the session of 1887 re-appointing the Commissioners whose names are first subscribed to this report, who were to form a corporation by the name of "The Commissioners for Queen Victoria Niagara Falls Park."

These Commissioners, as under the preceding Act, are to hold office during the pleasure of the Lieutenant-Governor in Council, and are to receive no compensation. The Act provides that the lands already selected, and approved by Order in Council, as well as all other lands that may be acquired, shall be vested in the Commissioners as Trustees for the Province and authorized them in their corporate capacity to issue and dispose of debentures not exceeding \$525,000, bearing four per cent. interest, and to apply the proceeds of their sale in payment of the lands and in making the necessary improvements, constructions, appliances, etc., to be used in connection with the Park.

When the Act, just outlined, received assent of the Lieutenant-Governor, the number of Commissioners was increased to four by the appointment of Mr. John A. Orchard, of Niagara. The Board immediately appointed Mr. James Wilson, Civil Engineer, to be Superintendent of the Park.

Pending the preparation of the bonds and their being placed on the market, the Commissioners arranged for a temporary loan, with which they paid for such of the properties as immediate possession could be given, and after advertising for offers for the purchase of bonds in London (England), New York, Montreal and Toronto, they were finally disposed of at a premium of 1.84 per cent.

Plans for the improvement and development of the property were prepared and adopted and the works connected therewith, including

the removal of old structures, fencing in the grounds, rebuilding the bridges, laying out and constructing new roads and paths in the place of the old roadways abandoned ; drainage of the lands ; construction of a hydraulic lift to enable visitors to go under the Falls, and a great many other works which are fully detailed in the Superintendent's Reports for 1887 and 1888 (see Appendix) were pushed forward with vigor. These works, however, were much delayed through the Commissioners not being able to obtain possession of many of the properties acquired, on which were old frame structures which had to be taken down and removed. In consequence of this delay, the Commissioners were unable to open the Park as soon as they expected, but on the 24th of May, 1888, it was, as is already stated, thrown open to the public.

Negotiations had been commenced in 1885 for the purchase of that part of the St. Catharines, Thorold and Niagara Falls macadamized road lying within the Park, between Table Rock and the northern boundary of the Park, opposite the Clifton House, and an award had been made by the Provincial arbitrators of the amount to be paid for the same. The transaction, however, could not be closed until the passing of the Act of 1887. The road was then legally acquired and paid for, together with the rights of the road company to collect tolls over the macadamized road between the Clifton House and the Suspension Bridge. The tolls were extinguished by Order in Council and the road made free to the public.

Authority was also given in the Act of 1887, under which the Lieutenant-Governor in Council might at any time visit in the Commissioners any portions of the Crown Lands property of Ontario lying along the bank of the Niagara river, and not included in the original survey of lots laid out in the townships of Stamford and Niagara. Effect was given to this provision of the Act by passing of an Order in Council on the 15th of July, 1887, vesting in the Commissioners, for the purposes of the Park, what is generally known and described as the Chain Reserve on the top of the bank between Table Rock and Queenston. Upon the passing of this Order in Council the Commissioners immediately notified all occupants on the reserve that it was their intention to take possession of the property for the uses of the Park, except the portion near the Clifton House known as the Ferry Road, leading down the cliff to the ferry over the Niagara river to the State of New York.

In March, 1887, the Commissioners became aware that it was claimed that a portion of the Chain Reservation thus acquired belonged to the Dominion of Canada and not to the Province of Ontario. Advantage was taken of this by the commencement on the 2nd of June, 1888, under the terms of a license from the Dominion Government, and without the authority of the Government of Ontario or the Commissioners of Niagara Falls Park, of works connected with the construction of a tramway and inclined plane at a point near the Ferry road. The Solicitor for the Commissioners at once applied for an injunction to restrain the persons from proceeding with the work which would cause great injury and damage to the Park property. The injunction was granted, but the whole question being still before the Court, the Commissioners for the present refrain from comment upon it.

The accompanying map, prepared by Mr. Wilson, the Superintendent will show the topography of the Ontario Park and its relations to the New York State Reservation, and all places of interest at the world-famed resort. The map also plainly shews the general plan of improvement and restoration.

At this point the Commissioners may be permitted to give the views of Messrs. Frederick Law Olmstead and Calvert Vaux, men who occupy the highest position in the United States as landscape designers, in respect to the magnificent Niagara domain that has become the property of the Province of Ontario, and progress made in its development.

These eminent men refer to the Ontario Park in their Report to the New York State Legislature in the following terms: "In certain respects the New York Reservation has advantages over that of the Province of Ontario. There are greater beauties of a kind depending on refinement and delicacy, subtle qualities and natural elements of scenery largely apart from the actual cataract; greater beauties of a kind in which the nearness to the eye of illumined spray and the mist and fleeting water, intricate disposition of leaves, with varied play of light and shadow, refractions and reflections and much else undefinable in conditions of water, air and foliage, are important parts. But there is no place within the New York Reservation from which, as from that of Ontario, a view of the entire face of the Falls, or near view of either division of the Falls, can be had. To obtain even a quartering view of the American Fall it is necessary to leave the American shore."

"The Topography of the Ontario Reservation is so large in scale, and the interest of what is to be seen from it, is so independent of all such details as contribute to make the charm of the New York part of the scheme, that even the broad military road that follows the brink of the Canadian cliff, strikes the eye as only an insignificant circumstance. In respect to the grandeur of the scenery, nothing can be afforded on the New York side to compare with what is now to be had, even before any improvements are made, at any point upon a line nearly a mile in length on the heights of Ontario.

"From this results—not only the circumstances referred to, that a full view of the Falls can only be enjoyed from the Ontario side—but this other, that at no point within the New York Reservation can any but a distant view be had of either one of the Falls, except upon a line nearly raking its line of fall."

The Commissioners of the New York State Reservation at Niagara, in their Report for the year 1887, write as follows: "An additional argument against longer delay in the development of the New York State's domain at Niagara is furnished in the recent vigorous action of the Canadian authorities. At the date of our last annual report, only preliminary steps had been taken toward the rescue of the Canadian side of the Cataract. An appraisal had been effected of the lands needed to be taken. But within the past year the Government of Ontario has more than made up its arrearage of activity. In April last the House of Assembly of the Province passed an Act authorizing the issue of bonds to the amount of \$525,000 to purchase and

“improve lands to be known as ‘The Queen Victoria Niagara Falls Park.’ The bonds, bearing four per cent. interest and guaranteed by the Provincial Government, were immediately purchased. Of the proceeds, \$402,867 was required to meet the awards of the arbitration of appraisal, while more than \$100,000 remained available for work of improvement. Of this sum about \$26,000 has been expended, with excellent judgment, during the past season, the result being that the lead in the noble project of an international reservation at Niagara may now be said to be taken by our Canadian neighbors. It was the example set by this State which stimulated them to action, and the hope may be cherished that New York will not allow herself to be outdone in so generous a rivalry. The Canadian park proper comprises 118 acres of land, and extends from the Clifton House along and up the river bank at a distance of two and one-half miles. The improvement already wrought upon this unequalled stretch of river front serves to bring out in strong light the need of corresponding work on the American side. Especially is the nakedness of the main bank of our reservation, with its unsightly back-ground of hotel and other structures, now more than ever conspicuous from Canadian points of view, and calls loudly for measures to restore what human occupancy has ravished and destroyed.”

Having thus sketched the history of the Park from its inception to its opening, we now come to the portion of the report relating to its maintenance. In this part of the report it will be necessary first to explain the efforts the Commissioners made to obtain the necessary revenue to meet the payment of interest on the bonds and the current expenses of maintenance. To a proper understanding of this question the following statement is given of the amount annually required for the payment of interest, cost of maintenance and necessary improvements :

Four per cent. interest on \$525,000	\$21,000.00
Sinking Fund one per cent. per annum	5,250.00
Salaries of Superintendent, Accountant and Guards, wages of laborers and materials for general improvements	15,000.00
	<hr/>
	\$41,250.00

It is thus shewn that \$41,250.00 is required to defray the annual expenditures and obligations in connection with the Park.

In their report to the Government, dated 16th day of March, 1886, the Commissioners dealt with the question of maintenance and revenue, and while their estimate of the annual cost of maintaining the Park has been substantially corroborated by the actual expenditures of the past year, it must at once be admitted that the receipts from tolls are entirely below the estimate.

The provisions of the Act in respect to raising revenue are, that Commissioners shall have power to take and collect tolls for the use of works, “appliances, vessels, or works required to afford facilities to visitors to reach and view points of interest within the Park and involving the expenditure of money in construction and maintenance, as well as for the services to be rendered for the convenience or accommodation of visitors ; and the Park grounds shall be open to the pub-

"lie subject to any rules and regulations as to charges and management "approved by the Lieutenant-Governor in Council," and until a sufficient revenue for the purposes of paying the current expenses of the "Park is obtained from the fees charged, the Commissioners are authorized to apply a portion of the money raised from the sale of the "debentures in that behalf."

It should here be stated that the conditions under which the New York Reservation was acquired differ entirely from those of the Province of Ontario. In the former case the awards of the lands expropriated became a charge against the revenues of the State of New York, and the properties were handed over to the Board of Commissioners as a gift from the State for the purposes of a Park.

In the case of Ontario, as previously shewn, the lands were paid for out of the proceeds of the sale of Provincial Guaranteed Debentures amounting to \$525,000 ; the principal of which is a charge against the lands, and the interest and sinking fund is a charge upon the Park revenue. The necessity therefore to collect tolls in the Ontario Park is much greater than on the other side of the river. In framing the tariff of tolls the Commissioners were guided by three considerations, (1) to raise the required revenue exclusively from tolls for the use of such artificial construction and appliances as well as for the services of guides so as to better enable visitors to view and enjoy certain points of special interest, (2) to assimilate as far as practicable the levying of tolls to the system prevailing on the New York State Reservation, and (3) to give effect to the policy that the general Park grounds with all the privileges thereof (except these special artificial appliances or guides if required) should be open and free to the public without charge. Following out this policy the following tariff in respect to tolls was framed by the Commissioners and approved by Order in Council :

1. Entrance of carriages and persons on foot to Park. Free.
2. For each person on foot for crossing the bridges connecting the Islands and use of artificial walks on Islands to view the Rapids 10 cts.
3. For each carriage including all its occupants crossing the bridges connecting the Islands to view the Rapids, Etc. 50 cts.
4. For each person using the hydraulic lift to go under the sheet of water, including clothing and services of guide 50 cts.

It should be remarked that it was the intention of the Commissioners to make a charge of 25 cents for each carriage (including its occupants) that entered the Park, but as such a charge was not made on the New York side the proposed toll was not exacted. The only toll that calls for special explanation is that made for the use of the bridges connecting the Sufferin Islands. In justification of this charge, it may be stated that in order to enable visitors to view the Falls and Rapids above the Falls, the Park, for all practical purposes, might have terminated at the southerly point of Cedar Island ; thus effecting a saving in capital outlay of over \$100,000. It will, however, be admitted

by all who have visited the Dufferin Islands and enjoyed their incomparable beauty and charming variety of scenery, that the Ontario Park would have missed its picturesque completeness had the Macklem property been left out of the Park domain. In acquiring it, however, the Commissioners had to incur expenditure not only in the original outlay for the land, but also for the costly bridges and structures which have to be maintained and kept up at a considerable charge to the annual maintenance. For these reasons it was decided that for the purpose of raising revenue the exaction of a small toll for the use of bridges, terraces, etc., was but reasonable.

With these remarks on the purpose and character of the tolls exacted, their revenue producing results from the opening of the Park on the 24th of May, 1888, to the 31st of December, 1888—a little over seven months—may now be given, as follows :—

Tolls for use of Hydraulic Elevator and use of	
clothing, including services of guides	\$3,029 35
Tolls for going over the Island bridges	1,698 35
	<hr/>
	\$4,727 70

To fully comprehend the insignificance of the revenue thus received when compared with the number of persons who visited the Park, it will be necessary to give a synopsis of the return of visitors to the Park for the same period, as follows :—

Total number of carriages that entered the Park	35,127
	<hr/>
Number of visitors in carriages	127,254
Number of visitors on foot	86,620
	<hr/>
Total number of visitors	213,874

From this summary, it will be seen that 213,874 persons visited in Ontario Park in seven months, or an average of nearly 1,000 a day. The average toll collected was, therefore, a fraction under two and a quarter cents from each visitor. The astonishment and regret of the Commissioners at such insignificant revenue results are certainly not lessened when it is considered that of the large number of visitors no less than 127,254 were occupants of carriages, from which it may be fairly assumed that a very large proportion of them were of the classes in more or less comfortable circumstances, who, it might reasonably have been expected, would have availed themselves, even if at a trifling extra cost, of the use of the artificial appliances, which would have enabled them to see and enjoy to the utmost the infinite beauty and grandeur of the great natural wonder of the world.

In their valuable Report to the State Legislature, in connection with the New York State Reservation, the landscape experts remark that ‘‘people have been heretofore influenced by two motives to wish to see Niagara, one is that they may be astonished. People in whose minds this motive has been largely predominant have generally been disappointed in what they found. The removal that your Board has made of various structures and ornaments that had been placed near

the Falls has not lessened the disappointment of this class of visitors, and it may be safely assumed that no improvements that the State can make will increase the astonishing qualities at Niagara. The other motive with which people come to the place is that of the enjoyment to be obtained through the pensive contemplation of distinctive qualities of beauty in happily associated passages of natural scenery."

The primary object, apart entirely from the question of revenue, which the Commissioners had in view in the construction of the hydraulic lift, was to enable visitors to go under the sheet of water with comfort that they might "be astonished" and awed with the terrific volume and force of the great Cataract. And in acquiring the Dufferin Islands it was the aim of the Commissioners to gratify the visitor's sense of beauty and sublimity in the contemplation of the matchless charm of the natural scenery of these Islands.

The Commissioners are not prepared to admit at this early period in the history of the Park, that the comparative failure, during the past year, to obtain the expected revenue from the sources named is conclusive evidence of a lack of appreciation of the interesting points on the part of the visitors, or that the payment of the small toll exacted is the cause of the failure, but rather that the wonderful effects and beauties of the points of interest referred to are not yet fully known to the public.

On the New York side of the river the collection of the revenue, even after the experience and efforts of four years, have proved equally delusive. There, the tolls are somewhat similar to our own, viz: (1) tolls from the inclined railway; (2) rental of points of interest and convenience, and (3) franchise of the carriage service. From all these sources, under \$10,000 were received in 1887, and it was estimated that only \$8,000 would be obtained in 1888. In consequence of these small receipts the State, in addition to transferring the Park to the Commissioners as a gift, has had to supplement the revenue receipts in order that the annual expenses might be defrayed. The Superintendent of the New York Reservation attributes to a large extent the failure to raise revenue, to a combination of the hack and livery men by which visitors are taken to bazaars and places outside the Reservation where, it is alleged, the drivers received commission on the sale of goods and for the patronage brought to such places. The Commissioners are fully aware that similar practices have seriously operated against the revenues of the Ontario Park, and in order to overcome the difficulty it may become necessary to take such steps as will effectually put a stop to the misrepresentation, and not infrequently fraud and extortion, that has been resorted to by this class, who, more than any other, have proved a curse to the locality.

The Commissioners, after much consideration of the question, are forced to admit, that, even under improved conditions, the sources from which the revenues are now drawn will prove inadequate to meet the annual cost of maintaining the Park, exclusive of the payment of the interest and sinking fund on the debentures. In view of this the Commissioners have given a great deal of thought during the past year to various measures, having for their object the augmentation of the revenue, and at the same time increased comfort and convenience of visitors to the Park.

The first and most important of these is the promotion of an un-

undertaking for the construction on the bank of the river, of an electric railway between the park and Queenston. Perhaps at no place on the continent of America are the conditions so favorable for building, attracting travel, and, from a financial view, successfully operating an electric railway than between the points named; the locality is the most celebrated in the world, offering no engineering difficulties in construction, possessing inexhaustible means for the creation of electric power, with the finest views of the Falls, Whirlpool Rapids, Whirlpool and the gorges of the river in full view from observation cars from the beginning to the end of the line, all tending to increase the already great crowds of people from all parts of the world and constantly increasing local travel between Toronto, Niagara Falls and Buffalo. With all these advantages, the privilege to construct a railway along the banks of the river should, in the opinion of the Commissioners, be a most valuable asset for the purpose of increasing the annual revenue of the Park. Believing this to be the case a survey of the route is now being made, and when completed the Commissioners propose asking the consent of the Government to advertise for proposals for the acquirement of the franchise for a term of years to be agreed upon.

The second scheme for increasing the revenue and greatly improving the means of seeing and enjoying the Park, is the establishment of a line of coaches to run at stated times between the Mowat and Dufferin gates.

The third is the leasing of part of the old Museum for the purposes of a restaurant, the want of which is a very serious inconvenience at present. As these two last schemes are commented on by the Superintendent in his report, it is unnecessary to make further reference to them, except to express the hope that a not inconsiderable annual revenue will be derived from these two sources, as well from the right to take and to dispose of photographic views within the Park grounds—the whole to be under the supervision and oversight of the Superintendent of the Park.

The receipts and expenditures for the year ended 31st December, 1888, were as follows :—

Receipts.

Balance at credit in Imperial Bank of Canada, 1st January, 1888	\$165,109 65
Received from sales of old structures, material, etc	1,143 50
“ from Hydraulic Lift tolls.....	\$3,029 35
“ from Island Bridges tolls.....	1,698 07
	<hr/>
	4,727 42
“ from Imperial Bank for interest on moneys at credit	4,090 39
	<hr/>
	\$175,070 96

Expenditures.

Amount paid for land awards, including cost of arbitrations, legal expenses, etc.... ..	\$82,286 02	
Salaries and wages, including wages of laborers, etc., in connection with works of improvement, etc..... ..	13,683 89	
Paid for contracts, material, etc., in connection with works of improvement, etc.	12,236 48	
Paid coupon interest and bank commissions ...	21,061 66	
Balance at credit in Imperial Bank, 31st December, 1888	45,802 91	
	<hr/>	\$175,070 96

The following summarized statement exhibits the entire receipts and expenditures connected with the Park up to 31st December, 1888 :

Receipts.

Sale of Bonds		\$534,667 14
Sale of old structures, etc., in 1887..... ..	\$1,142 05	
Sale of old structures, etc., in 1888..... ..	1,143 50	
	<hr/>	2,285 55
Revenue from the visitors in 1887..... ..	1,716 25	
Revenue from the visitors in 1888..... ..	4,727 42	
	<hr/>	6,443 67
Interest from Imperial Bank, 1887..... ..	4,038 06	
Interest from Imperial Bank, 1888..... ..	4,090 39	
	<hr/>	8,128 45
From the Government prior to sale of bonds		18,929 04
		<hr/>
		\$570,453 85

Expenditures.

Amount paid for surveys, etc..... ..		\$3,547 69
Amount paid for land, etc., 1887..... ..	\$350,979 53	
Amount paid for lands, etc., 1888..... ..	82,286 02	
	<hr/>	\$433,265 55
Amount new works, etc., 1887	26,045 93	
Amount new works, etc., 1888	25,920 37	
	<hr/>	51,966 30
Interest on bonds, 1887-88 (18 months)...		31,500 00
Interest on temporary loan and for advertising and preparing bonds		4,309 74
Bank Commission		61 66
Balance in Imperial Bank, 31st December, 1888		45,802 91
		<hr/>
		\$570,453 85

The report of the Superintendent and a tabular statement of the visitors to the Park, also a return of the officers appointed and the salaries paid to the same, will be found in the Appendix. The map shewing the Park boundaries and the plan of improvement and restor-

ation is also attached.

All of which is respectfully submitted,

C. S. GZOWSKI,

Chairman.

J. W. LANGMUIR,

J. G. MACDONALD,

JOHN A. ORCHARD,

Commissioners.

REPORT OF THE PARK SUPERINTENDENT FOR THE YEAR ENDED 31ST DECEMBER, 1888.

The Commissioners of the Queen Victoria Niagara Falls Park :

Gentlemen,—I beg to submit my report on the works accomplished within the Park, under your directions, during the past twelve months.

Before describing in detail the main features of the work of the year, permit me to make a brief reference to the scope of the operations determined on by the Commissioners.

In order to conserve to the utmost the limited means at command for the restoration of the natural scenery, and taking into account the extensive area embraced by the Park, it was considered essentially necessary that only the works immediately required for the safety or convenience of visitors, or for securing the early enjoyment of the grounds as a public park, should be taken in hand, consequently many contemplated and most desirable improvements had to be left in abeyance, and very strict economy exercised in carrying out the works that were authorized.

Severe Weather.

The winter of 1887-8 was, in this vicinity, remarkable for the amount of snow-fall and duration of the “cold period ;” this is evidenced by the unusual length of time the ice bridge remained in the gorge, viz., from January 14th to April 4th ; and although cold weather is in general a most desirable feature of our Canadian winters, yet the effects of freezing spray are so trying to all objects within the reach of its influence that a correspondingly great damage was caused to the trees and shrubs in the Park, and a considerable outlay required to remove the accumulations of ice from the vicinity of Table Rock. As an instance of the accretive power of the spray under certain conditions, it may be stated that on the one inch diameter gas pipe railing at Table Rock ice was formed to a width of twenty-eight inches, and to a height of thirteen inches, by actual measurement.

Of course every object was subjected to similar influences, and where the ice itself did not form a proper support, the surcharged limbs, branches and twigs were torn off, and in many cases beautiful trees were bent over and broken.

The heavy accumulations of ice also retarded active operations in Spring, so it was comparatively late before we got properly to work.

Removal of Prospect House, etc.

The large building known as the Prospect House, together with its extensive barns and outbuildings, were disposed of by auction early in the year, and the work of demolition began. As soon as the weather permitted, filling up the large cellars and levelling and seeding down the grounds occupied by these structures followed, and by the be-

ginning of June all the wooden buildings which had so marred the beauty of the place were removed, and nature invited to resume her more perfect work.

Turn-outs.

The turn-outs from Grand Park Drive, referred to in last year's report, were constructed in order to afford visitors entering the Park in carriages a near approach to the magnificent points of sight named "Rambler's Rest," and "Inspiration Point," where platforms and seats have been provided on the edge of the cliff, and from which unrivalled views of the entire panorama of the Falls may be enjoyed. In each case connecting pathways have been provided, and visitors are invited to leave their carriages and spend a few minutes at each place.

Gate Houses.

The erection of gate houses at the several entrances to the Park received early attention. The principal entrance opposite the Clifton House is provided with an ornamental wrought iron gate, with posts of a neat pattern. On either side are registering turn-stiles for the admission and tally of pedestrians, and the whole is protected by a suitable rustic gate house, with offices at each end for gate men. The structure is ornamental in character, and was designed to harmonize as much as possible with its surroundings. All exposed work is of cedar. The various wall surfaces are broken into panels and filled in with intricate designs carefully executed in round cedar of uniform size, the roof being underlined with herring bone work also in round cedar, the whole presenting a neat and serviceable appearance. It has been named the "Mowat Gate," in honour of the Premier of the Province of Ontario, the Honourable Oliver Mowat.

The western entrance has a rustic gate and gate house both of cedar work, with registering turn-stiles for pedestrians. At the southern entrance, or "Dufferin Gate," the former gate house was moved and fitted up for use, and a rustic gate, with registering turn-stiles, provided.

At Robinson Street entrance, and also at the entrance of the Cliff walk, registering turn-stiles only have been provided, as at these points visitors on foot only, are expected to enter or leave the Park.

Light rustic coverings have been erected to protect the stiles in bad weather. These it is intended to cover with creepers of different kinds in such a manner that all wood-work will be concealed.

Footways on Cedar Island Bridges.

To ensure the safety and comfort of pedestrians, broad footways have been added to the two bridges connecting Cedar Island with the main land. By this means the walk along the cliff, south of the Cataract, and along the water's edge is entirely separated from the carriage road, so that visitors on foot may traverse the whole of the distance, from the Clifton House to the Dufferin Islands, without being endangered in any way by vehicles.

Hydraulic Elevator.

All the works necessary to complete the hydraulic elevator and its appurtenances, which could not be completed by the end of last year,

were pushed through, and everything got in readiness for the season's work.

During the summer the efficiency of the work was thoroughly tested, as many as thirteen adults having been taken up or down at one time. Nothing has occurred to mar its perfect and continuous working, and it is hoped that the means taken to protect the machinery and tower from the effects of spray and frost may ensure its utility throughout the winter.

The changing scene afforded by the downward or upward journey in the car is wondrously beautiful, and has been most enthusiastically dwelt upon by visitors.

In winter, when the tower is incased with wooden shutters, this fine panoramic view is not obtainable but is vastly more than compensated for by the marvellous accumulations of ice on the rocky talus or sloping river bank, and the exceedingly beautiful effects produced by the myriads of pendant icicles clinging to the ragged cliffs which overhang the pathway leading under the Falls. In the morning when the rays of the sun are reflected by a thousand of these fantastic marble-like creations of the spray, impressions are made in the mind that can never be eradicated.

At the foot of the elevator a broad platform has been constructed for the convenience of those not desiring to approach nearer to the Falls. From this platform excellent views of the gorge and both Falls are to be had, and good opportunity is afforded for the very interesting study of the geological formation of the banks.

Drinking Fountains.

Six drinking fountains have been provided, five of them being fed by the perennial springs flowing out of the high wooded bank which flanks the Park in the west. These fountains are distributed at convenient points near the main thoroughfares, and have been much appreciated by the travelling public.

A drinking trough for horses, supplied with spring water, has been placed at a convenient point.

Opening of the Park.

The chief works of construction having been well advanced by the middle of May, the by-laws and regulations for the government of the Park were published, the several gate-keepers assigned to their respective positions, and on the 24th day of May, the sixty-ninth anniversary of the birth of Her Most Gracious Majesty the Queen, the grounds were thrown open to the general public. For various reasons the Commissioners decided not to have a demonstration on the occasion. Shortly after this, however, many of the leading citizens expressed a desire to manifest their appreciation of the establishment of the Park by providing a grand civil and military display in honour of the event, and subscribed liberally to a fund for that purpose. The celebration was held on the 21st of June, when no fewer than 12,855 visitors witnessed the pageant and roamed at will over the property. The Commissioners placed the whole of the grounds at the disposal of the citizens' committee, and also reduced the charges to go under the Falls to a merely nominal sum. Notwithstanding the numbers and consequent crowding at points of special interest, no accident of any kind occur-

ed to mar the pleasurable recollections of the day.

Of course the formal opening of the Park to the public did not by any means indicate that all works of restoration were to be considered in a completed state. A work of this nature can never be said to be completed, as in addition to works of maintenance proper there will be always opportunities for improving and modifying the physical characteristics and of producing greater harmony both of kind and degree in the various accessories ; but in this case many works essential to the utility of the Park remain to be done, as want of time necessitated large portions of the grounds being left undrained and unimproved.

What could be accomplished, in addition to the numerous works of maintenance, without involving much expense, was undertaken ; and a reference may here be made to some of the improvements effected.

Improvements Effected.

Murray street and the grounds lying south of it as far as the Table Rock were drained and put into shape. The plank pathway south of Murray street was replaced by a gravel walk, in keeping with the other portions of the property. At Table Rock the conveniences for viewing the Falls were extended and improved, and the railing made more secure. The enclosed building at the foot of the old "Observatory" on Cedar Island, and the rough-cast building in the picnic garden was fitted up for residences for the gate-keepers. Cobble stone gutters were laid along the main driveway in front of and on either side of the refreshment room. Extensive operations for the protection of the eastern shore of Cedar Island from erosion were well begun, and the guy ropes and fastenings of suspension bridges made secure.

The character of the old museum garden was greatly changed, and its enclosures and obstructions removed. The large stone building adjoining the Table Rock house was lowered and changed into a driveway for the protection of carriage horses in wet weather while the visitors are under the Falls.

These are all works essential to the proper enjoyment of the property or to its preservation, and in each case the general appearance of things has been materially improved by their being carried out.

Perhaps, however, the most valuable of the works of restoration accomplished during the year, and one that has greatly improved the views from many points both within and without the grounds, has been the grading, terracing and sodding of the extensive soil bank of the Canadian Southern Railway, opposite the lower end of Cedar Island. This most important work was executed by the railway authorities under an agreement of an exceedingly favourable nature made by the Commissioners. Unfortunately the wet and backward season prevented the sods knitting together properly, and the trying nature of the soil (quicksand with numerous springs) has caused portions of it to leave its place, still on the whole the result has been very gratifying, and with a little labour and attention next spring the work will doubtless be permanently beneficial.

Planting out Trees and Shrubs.

Notwithstanding all these various undertakings the very important work of planting out suitable trees and shrubs has not been neglected. This is a branch of our work that is of vital importance, as the beauty and value of the premises for all time to come must depend, in large

measure, on the judicious selection and intelligent arrangement of the many species of trees and shrubs which may be found best adapted to the varying conditions presented in our extensive domain.

During the past season only a limited attention could be given to this important work, but notwithstanding the urgency of other duties, about four hundred trees and flowering shrubs have been placed in carefully selected positions. As many of these are already well developed, they will be of immediate use for shade or ornament, a most important factor when it is remembered that some sections of the property are destitute of foliage. Where enclosures are desirable, hedges of suitable kinds have been planted, and a large number of vines and creepers have been placed in needy spots.

By reference to the appendix it will be seen that a large number of the most thrifty varieties are embraced.

This locality has long been renowned for its abundant and very luxuriant supply of flora. A catalogue recently prepared by a gentleman residing in Buffalo, the Honourable Mr. Day, enumerates no fewer than nine hundred and nine species of "flowering and fern-like plants growing without cultivation in the vicinity of the Falls of Niagara." A very large proportion of these are to be found within the immediate limits of the Park. This is strong testimony to the favourable conditions existing here for the development of plant life, and indicates the desirability of introducing many species of ornamental trees and not at present grown in Canada.

Visitors Entering the Park.

From the 24th of May to the end of the year, the number of people entering the Park has been 213,874, or an average of nearly one thousand per day. Of this total number, 127,254 were in carriages and 86,620 on foot. Irrespective of the occasion of the military display, on the 21st of June, the largest number on any one day was 4,272, on August the 22nd, and the least number 137, on December the 18th.

No difficulty whatever was experienced in maintaining order, and so far as known, there has been no accident of any kind during the season's operations.

It was confidently expected that the majority of visitors would avail themselves of the opportunity of their visit to see the upper portion of the Park, including the rapids and cascades, and of enjoying the many delightful rambles and retreats which have been provided on the Dufferin Islands. Events proved, however, that a very large proportion of visitors were entirely ignorant of what was to be seen or enjoyed beyond the face of the Cataract, and it also speedily became apparent that active hostility on the part of a large number of hackmen would be encountered. It goes without saying that a large proportion of the visitors to the Falls place themselves entirely under the guidance of the hackmen they may by chance engage to take them to see the many special features of the place. Before the establishment of the Park, large commissions were paid by the private individuals controlling the best means of access to some of these specially attractive features, and the hackmen were thus pecuniarily interested in taking their patrons to these points exclusively. Now, of course, all the inducements of this nature have been removed from the Park, and hack-

men are prohibited from soliciting for passengers within the grounds. These limitations of the perquisites and privileges formerly attached to the calling have not at all been received in a friendly spirit, but many of the hackmen manifest a lively spirit of retaliation, and have with, it must be confessed, a considerable measure of success, diverted the stream of travel from two principal sources of income we now possess, viz., the trip under the Falls and the upper reaches of the Park, for which a greatly reduced fee is charged. Doubtless, when the Commissioners assume control of the "points of interest" further down the river, and the opportunities for receiving commissions for taking visitors to view nature's wonders are not available, this most unreasonable opposition will cease, and the unrivalled attractions of the islands and upper rapids will be duly appreciated, and something like an adequate return received.

Another cause which led to the comparatively small number of visitors to this portion of the Park was the unlooked for, and in some cases, very unfair spirit of antagonism to the tolls charged, which speedily manifested itself in a large and influential section of the press, and in several instances, antagonism to the tolls developed into misstatements of a grave character. Doubtless, this was often done in ignorance of the magnitude of the works accomplished by the Commissioners or the extent of territory that had been acquired and opened, entirely without charge, to the public use ; but in many instances it is exceedingly difficult to account for the palpable misstatements of facts by journals whose accredited agents must have been better informed.

Of the whole area embraced by the Park, by far the largest portion is entirely free to any and all who may desire to enter, the only restriction being the customary rules for the preservation of order. This "free" portion embraces all the lands lying along the river bank from the Clifton House to Cedar Island, and extended from the river to near the top of the wooded bluff on the west. All the best views of the Horseshoe and American Falls are to be had within this territory.

Before the establishment of the Park the only privileges enjoyed by the public were confined to the narrow and exceedingly dusty or muddy roadway along the edge of the cliff.

This large extent of property, which has been acquired and made free to all, has been vastly improved, and every facility for the enjoyment of visitors provided, yet all this is manifestly lost sight of in the attempt to secure entire immunity from tolls or charges of any kind ; and in the evident desire to prejudice the minds of the public statements have been freely made that no portion of the Park could be entered, or any of its attractions enjoyed, without payment of a fee. Excursionists were also advised that games of any kind were prohibited within the grounds, and efforts were made to induce them to go elsewhere.

Notwithstanding all these evil influences a number of excursionists did come, and every one of these went away highly delighted with their visit, and expressing an intention of returning year by year.

It is greatly to be regretted that the facilities for reaching the Park

from Lake Ontario are so badly arranged. One very large excursion, desirous of coming to the Park, from Toronto, was obliged to land at Lewiston and run up by rail on the American side, then cross over the upper suspension bridge in order to avoid a lengthy delay at Niagara for railway connections. A number of other excursions were lost to us by this somewhat vexatious and indefensible arrangement. Those who did come, irrespective of these delays and drawbacks, were usually too weary or their time was too limited to permit of them walking beyond the Falls proper.

All these things militated against the success of the Park, and especially of the upper or islands portion.

Folder.

As a means of counteracting, to some extent at least, the prejudiced oppositions of hackmen and others, it was considered desirable to issue an illustrated "folder" giving authoritative information on many of the physical characteristics of the Cataract and its accessories, and pointing out the chief features of the locality, and the best points of viewing the various attractions. This work necessarily required considerable time for its preparation, and it was late in the season before it could be made of use. The occupants of every carriage now entering the Park receive a copy, and it is also exhibited at convenient points for the guidance of pedestrians. The folder is very attractive in appearance, and seems to be highly valued by those receiving it, as it is invariably preserved as a souvenir. There is every reason to expect that next season's returns will exhibit a marked increase in revenue, owing to the issue of this little guide.

Line of Busses.

Owing to the great length of the Park grounds, extending as they do along the bank of the river for a distance of two and a half miles, it was found necessary to provide a means of communication that would be at once cheap and efficient. As an experiment a line of busses was put on, running from the Mowat Gate to the Dufferin Gate, every thirty minutes, and affording patrons an opportunity of stopping off at any point enroute, and resuming the journey by any subsequent buss. The charge made was only twenty-five cents for the return trip. This scheme appeared to answer all present requirements, but as it was not put in operation until September, it can hardly be said to have received a sufficient trial.

Refreshments.

The comfort and convenience of visitors and especially those travelling on excursion tickets, required that some provision be made for the supply of suitable refreshments, as owing to the great distance of all the points of chief interest within the Park from hotel or restaurants, families were put to much inconvenience. A portion of the building formerly used as a museum was fitted up for the purpose, and counter refreshments supplied at reasonable rates.

The franchise was only granted as an experiment, and until the end of the year. It will be advisable to continue the arrangement, under

such restrictions as the Commissioners may consider to be necessary.

The total amount expended on the works and improvements during the year, and including cost of superintendence and maintenance, is \$25,920.37.

Appendices shewing the number of visitors for the several months, receipts, etc., etc., have been attached.

The whole respectfully submitted,

JAMES WILSON,

Superintendent.

Memoranda of Trees and Shrubs Planted Out in 1888.

210 yards run of Privet Hedge	4 Virburnum or Snow Ball.
99 yards run of Spruce Hedge (Norway.)	17 Virburnum or Snow Berry.
27 yards run of Berberry Hedge (Scarlet.)	13 Wiegela Rosea.
31 yards run of Elderberry Hedge.	2 Wiegela Variegated.
2 Quince trees.	3 Viburnum Opulis or High Cranberry.
32 Elm trees Dover.	1 Almond Pink, double.
63 Maple trees Sugar.	1 Poeny tree, double.
16 Maple trees Silver leafed.	1 Euonymus Strawberry or Spindle tree.
2 Dogwood trees, Red.	1 Trumpet Flower Vine.
34 Horse Chestnut trees.	2 Forsythea Viridissima or Gol- den Bell.
2 Basswood trees.	3 Berberry.
102 Willow trees, laurel leafed.	2 Red Cedar.
3 Spruce trees, Norway.	13 Lilac, various.
12 Catalpa Speciosa.	12 Mountain Ash.
6 Pine Wellingtoniensis.	1 Walnut.
2 Privet Californian.	3 White Cedar.
24 Quince-Japan, scarlet.	1 Tartarian Honeysuckle.
2 Spirea Bilardii.	113 Vines of various kinds.
12 Spirea Prunifolia-Flore Pleno	
6 Syringa Coronarius.	

QUEEN VICTORIA NIAGARA FALLS PARK.

Returns of Visitors from May 24th to 31st December, 1888.

1888	Mowat Gate			Murray St. Gate			Robin-son Street	Dufferin Gate			Total Number of Visitors
	Number of Carriages	Visitors in Carriages	Visitors on Foot	Number of Carriages	Visitors in Carriages	Visitors on Foot	Passengers on Foot	Number of Carriages	Visitors in Carriages	Visitors on Foot	
MONTHS											
May 24th to 31st	422	1,444	2,391	80	232	297	134	7	26	11	4,535
June	3,982	14,735	12,880	378	1,211	1,617	1,274	53	253	110	32,080
July	8,023	29,479	15,104	470	1,698	1,465	1,371	35	110	56	49,283
August	8,193	32,411	18,920	599	2,196	1,939	1,559	46	159	52	57,236
September	6,179	22,464	9,904	496	1,748	1,251	1,070	45	139	39	36,615
October	2,728	9,172	4,933	339	1,018	931	835	10	27	26	16,942
November	1,472	4,481	2,960	290	759	917	774	4	14	8	9,913
December	1,106	3,075	2,859	167	395	658	264	3	8	11	7,270
Totals	32,105	117,261	69,951	2,819	9,257	9,075	7,281	203	736	313	213,874

QUEEN VICTORIA NIAGARA FALLS PARK.

Names of Officers Appointed and the Salaries Paid Each.

NAMES	Nature of Appointment	RATE OF SALARY
1. James Wilson, C.E.	Superintendent ...	\$2,000 00 per year and house.
2. James Quillinan ...	Accountant	800 00 per year and house rent.
3. Roderick Cameron	Gardener	600 00 per year and free house.
4. William Bowman ...	Policeman	2 00 per diem.
5. Walter Waite	Gatekeeper	1 50 per diem and free house.
6. James Willox	"	1 50 per diem and house rent.
7. Willas W. Whistler	"	1 50 per diem and free house.
8. Joseph Wynn	"	1 50 per diem and free house.
9. Thomas Wilson	"	1 50 per diem and house rent.

LEASE OF WATER WORKS PRIVILEGES TO THE TOWN OF NIAGARA FALLS.

This Indenture, made the first day of September, in the year of our Lord One Thousand Eight Hundred and Eighty-nine, in pursuance of the Act respecting short forms of leases, between the Commissioners of the Queen Victoria Niagara Falls Park, hereinafter described as "the Commissioners," of the first part, and the Corporation of the town of Niagara Falls, hereinafter described as "the Corporation," of the second part.

Whereas, on the 14th day of July, A.D. 1884, Her Majesty the Queen did by letters patent, under the great seal of the Province of Ontario, demise and lease unto the corporation of the town of Niagara Falls certain lands occupied by the Clifton water-works, situate on the top of the bank of the Niagara river, adjacent to the Falls in the said river, as described in the said letters patent, for the term of ten years from the tenth day of July, A.D. 1884 ;

And whereas the said lands are now within the limits of the Queen Victoria Niagara Falls Park, and the same are now vested in the Commissioners above described as of the first part ;

And whereas the corporation are desirous of constructing a new system of water-works and require more extensive premises, which the Commissioners are prepared to grant to the corporation, together with certain rights, for the purposes hereinafter mentioned, and upon surrender by the corporation of all rights and interests granted to the corporation under and by virtue of the said letters patent of the fourteenth day of July, A.D. 1884 ;

And whereas it has been agreed, as hereinafter by these presents it is witnessed, that the premises and as hereinafter described shall be enjoyed by the said corporation at a peppercorn rent for the period of ten years, and under certain conditions and observances to an extension of a second term of ten years, to be granted at the expiration of the first term :

Witnesseth, that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the corporation to be paid, observed and performed, the Commissioners have demised and leased, and by these presents do demise and lease, unto the corporation all that parcel or tract of land situate, lying and being in the Queen Victoria Niagara Falls Park, and being the site of a pump-house thirty feet by thirty-six feet in size, and of a wheel-house sixteen feet by twenty feet to be attached thereto, which said parcel or tract of land hereby demised is more particularly indicated on the plan hereunto annexed of a portion of the said water-works system, being embraced within the letters E F G H J and K on the said plan,

To have and to hold the said demised premises unto the said corporation for and during the term of ten years, to be computed from the first day of September, A.D. 1889, and from thence forward next

ensuing and fully to be complete and ended, yielding and paying therefor, yearly and every year during the said term of ten years hereby granted, unto the Commissioners the clear yearly rent or sum of five cents of lawful money of Canada annually, without any deduction or defalcation or abatement therefrom, the first of such payments to become due and be made on the first day of September, A.D. 1890.

The Commissioners further agree with the corporation in manner following: That during the existence of the term by this indenture created the corporation shall have the right and privilege of excavating an open channel of about twelve feet in width by ten in depth across the reach of the Niagara river between the foot of Cedar Island and the main shore, or, as indicated on the plan hereunto annexed, between the letters A and B, for the distance of about one hundred and fifty feet, and also of making excavations for and constructing a wooden flume between the points indicated by letters B and C in said plan, a distance of about five hundred and sixty feet, the said flume to be covered and hidden from view, and also of building a tunnel for the discharge of waste water; the site of said tunnel to be approximately as indicated on said plan by the letters C D; said tunnel to be about seven feet high by six feet wide, and the bottom thereof to be not more than forty feet beneath the present surface of the ground; and also of laying a twelve-inch rising main through and across the park grounds to the town reservoir, situate on the high grounds adjoining the said park; and also of connecting the new system with the existing rising main at a point west of the present carriage road; and also at the point indicated by letter B on plan of erecting a small wooden building for the purpose of protecting head gates; and also of erecting a crib pier at the point indicated by the letter A on said plan, and of constructing the wooden flume within the line of the open channel above mentioned, and of filling in around the same to the general level of the river at that point.

Provided that the pump-house and wheel-house which it is intended shall be erected on the lands hereby demised shall be neat and substantial, and that all the erections and the work to be done shall meet with the approval of the Commissioners.

And the Commissioners further grant to the corporation during the existence of the said term the right and privilege from time to time on all necessary and proper occasions during the existence of the term hereby created to enter in and upon the Park with such mechanics, operatives or workmen as the corporation may require for the purpose of constructing and maintaining the buildings and works hereinbefore described as the water-works system after the same shall have been constructed and put in operation.

The corporation covenant and agree with the Commissioners to provide and to lay a two-inch water pipe from the rising main to the Museum gardens in the said Park; and also to provide and lay a two-inch water pipe from the street main to a point near the Mowat Gate; and to place a stand pipe and hydrant near the Mowat Gate, both hydrants and stand pipes to be provided by the corporation, and to be connected with the said water pipes and completed simultaneously with the laying down of the main supply pipe, and will during the existence of the term hereby created supply water to the Commissioners through the said pipes and hydrants without charge.

The corporation further covenant and agree to allow the Commissioners to draw water from the hydrant of the corporation on Ferry street for Park purposes free of charge during the existence of the term hereby created.

And it is further agreed between the parties hereto that all works of construction, including the direction and laying down of the main supply pipe, as well as the other pipes to be constructed, shall not be commenced until the plans thereof shall have received the approval in writing of the Commissioners.

And the corporation do further covenant and agree with the Commissioners in manner following :

That the corporation will forthwith after the completion of the new system of water-works as may be remove the now existing pump-house, marked M on annexed plan, fill in the cavities caused by such removal to the proper level of the ground, remove the cribwork reforming the existing raceways, marked with the letters N O P and Q in the annexed plan, fill up the tail-race from the existing pump-house and build a substantial retaining wall across said tail-race at the line of the cliff. And, further, that they will do all such work and dispose of all permanent material to the satisfaction of the Commissioners. And in the event of the corporation not doing the said work forthwith on the completion of the new system of water-works, or failing to do the same to the satisfaction of the Commissioners, it is further agreed that if, after the expiration of a reasonable notice given by the Commissioners to the corporation, the corporation should neglect doing and completing the said work, or failing to do so to the satisfaction of the Commissioners, then the Commissioners shall have the right to order the work to be done at the cost and expense of the corporation.

And the Commissioners hereby covenant and agree with the corporation that if the corporation shall have well and truly executed all the works hereinbefore undertaken or agreed by it to execute, and shall well and truly have observed on its own part all the covenants, agreements and stipulations which it has hereinbefore undertaken to do, perform and observe, then at the expiration of the said hereinbefore granted term of ten years the Commissioners will grant to the corporation a second term of ten years, subject to all the conditions and stipulations herein contained, and which have been agreed upon by and between the parties hereto, save in respect of granting further or third term.

And the said corporation covenants with the Commissioners to pay rent-proviso for re-entry by the Commissioners on non-payment of rent or non-performance of covenants.

And the corporation hereby assigns and surrenders to the Commissioners all the terms, right and interest by the said corporation hereto held, had and enjoyed by and under the letters patent of tenth July, A. D. 1884. And the Commissioners do hereby release the corporation from all burdens or liabilities in respect thereof.

In witness whereof the parties above named have hereunto affixed their respective corporate seals on the day and year above written.

The Mayor of the town of Niagara Falls affixing the corporate seal

in pursuance of a resolution of the Town Council passed at a meeting thereof held on the 16th day of September, A. D. 1889.

Commissioner's



Seal

(Signed) C. S. GZOWSKI, Chairman.

John Hague,

Witness to signature of C. S. Gzowski.

Corporation



Seal

(Signed) J. L. MACARTNEY, Mayor.

James Wilson,

Witness to signature of J. L. Macartney.

Fourth Annual Report

OF THE

COMMISSIONERS FOR THE QUEEN VICTORIA NIAGARA FALLS
PARK 1889.

To the Honorable Sir Alexander Campbell, K.C.M.G.
Lieutenant-Governor of the Province of Ontario.

May it please your Honour :—

The Commissioners of Queen Victoria Niagara Falls Park beg to present their Fourth Annual Report, being for the year ended 31st December, 1889.

In their last report the Commissioners submitted an historical resume of the negotiations, legislation, and all other acts relating to the acquirement of the park domain. They also dealt very fully with the plans they had devised for the restoration and improvement of the property as well as for its future maintenance as a provincial park. In the present report they will confine themselves to a brief reference to their proceedings during the past year ; full details of which will be found in the report of the park superintendent in the appendix.

The most important work was the construction of a tunnel under and behind the face of the Falls. This was undertaken chiefly to give visitors a view of the falling sheet of water from a secure point, and at the same time to enable them more fully to realize the grandeur and enormous volume and force of the great cataract. The former point of observation, commonly known as "going under the Falls," was destroyed by the falling away of a large mass of rock ; causing a marked recession of the water towards the middle of the river.

Much work had to be done during the year in making good the damage caused to property in the park by the great wind storms which passed over the Niagara river section of the country, especially that of the 10th January, which caused the destruction of the single track-road Suspension Bridge spanning the river below the Falls, which has been rebuilt as a double trackway bridge.

A considerable section of uneven and broken ground has been drained, levelled and seeded down so as to add to the lawn area of the park.

The working staff has been fully occupied with these and other works of improvement, and in keeping the extensive grounds in as good and presentable a condition as the limited means at the disposal of the Commissioners permitted.

In their last annual report the Commissioners directed attention to the desirability of promoting the construction of an electric railway from the northern boundary of the park, along and on the top of the bank of the river to the navigable water at Queenston. With that ob-

ject in view a careful location survey has been made. A line was found on the top of the river bank, which forms part of the park domain, for nearly the entire distance, free from serious engineering difficulties of construction, except at points where the ground is broken by large ravines, such as at the Whirlpool and other points north of it and near the terminus at Queenston. At these points the line had to be located on private property outside the chain reserve which will have to be acquired.

In connection with the proposed electric railway and its construction it will also be necessary to acquire the personal property, plant and machinery of the existing inclined railways leading to the Whirlpool and Whirlpool Rapids.

It is generally admitted by lovers of grand and beautiful scenery that the river bank and gorges, extending to and beyond the Whirlpool, form as fascinating and picturesque a part of this famed historic ground as the more immediate environments of the Falls. Believing this to be the case the Commissioners are strongly of opinion that the resources of the park in general completeness, will not be fully available, either for the enjoyment of visitors or for obtaining the needed revenue until the entire bank and gorges, with the chain reserve, are placed under the control of the Park Commissioners.

To this end it is urgently recommended that an appropriation be asked from the Legislature in order that possession may be obtained of the land outside the chain reserve already referred to for the construction of the electric railway, and for the cost of the structures, machinery and necessary appliances connected with the inclines at the Whirlpool and Whirlpool Rapids. The amount required for that purpose, the Commissioners believe, will not exceed \$25,000.

In the early part of the year a proposition was made to the Commissioners, by some gentlemen from the United States, to lease the water power of the Canadian Falls for the purpose of generating electricity for transmission to cities and towns as a motive power and for lighting purposes. While fully cognizant of the yet unsolved difficulties connected with the transmission of electricity for motive power and lighting for long distances, the Commissioners could not but be impressed with the earnestness with which the promoters of the scheme presented their case and emphasized their convictions that they could successfully solve the difficulties of transmission.

Realizing the great strides that are now being made in the development of electrical science, and the enormous power that exists in the waters of the Niagara Falls for generating electricity to an almost unlimited extent, the Commissioners decided to give the scheme favorable consideration. After protracted negotiations they, with the consent of the Government, agreed to grant the franchise asked for on the following conditions :

1st. That all the constructions required for electric works should be placed under the bank of the river in a manner not to detract from the park design.

2nd. That all such constructions should be subject to the approval of the Commissioners both as to position and character.

3rd. That the conduct of the operations, within the limits of the park, should also be subject to rules and regulations framed by the Commissioners.

4th. That the lessors should pay for the privileges granted \$25,000 per annum, of which two years rent, viz., \$50,000 was to be paid in advance.

5th. That the rental after ten years should be increased at the rate of \$1,000 per annum until it reached \$35,000 a year in the twentieth year when the contract may be renewed for further terms at the maximum rental of \$35,000 per annum.

Time was given the promoters to enable them to organize as an incorporated company, and to obtain the requisite capital for successfully carrying on their operations. Owing to dissensions between them and the capitalists who were to furnish the means, the time for executing the contract and paying the \$50,000 was extended from time to time, with the hope that the difficulties between the parties would be settled. Failing in this, however, the Commissioners were finally compelled to close negotiations with the United States promoters.

Proposals were then received on behalf of an eminent English electrician and well-known capitalist in London for privileges of a similar character, in respect to terms and conditions, as before recited. These latter negotiations have just been temporarily closed, and the sum of \$10,000 cash has been paid over to the Commissioners, which amount is to be forfeited unless a contract is finally closed, and the balance of the first two years' rental, viz., \$40,000, is paid on or before the 1st March, 1891.

This project is, therefore, now fairly committed to the care not only of one of the greatest English electricians of the day, but also to men associated with him who have command of unlimited capital. These capitalists have not only shown their faith in the great project by making a forfeitable deposit of \$10,000, but they are carrying on experimental works in England in which very large sums of money have been expended and which, if successful, will be duplicated at the Falls of Niagara.

The Commissioners are therefore warranted in stating that the understanding arrived at with the promoters in question, is of a very favorable character and that there is a reasonable assurance that a successful conclusion will be reached.

The important schemes that have been receiving the continued consideration and attention of the Commissioners, as shown in the preceding remarks, are inseparably linked together and upon their successful accomplishment largely, if not entirely, depends the solution to the question whether the park shall be self-sustaining, or become in future a charge on provincial revenues.

The purchase of additional lands is necessary for the construction of the proposed electric railway; the working of which will be greatly facilitated by the arrangement made with the English company for generating electricity at the Falls as a motive power, and the acquisition of the structures and inclines at the Whirlpool and Whirlpool rapids is most desirable as these localities will become the stopping points for visitors using the electric railway.

The closing of a contract with the English capitalists for leasing the water power of the Falls for producing electricity, will result in a large addition to the revenue to be applied towards paying the interest on bonds and meeting the current cost of maintaining the park. The Commissioners have good ground for believing that the same parties, having a superabundance of electric power, would become purchasers of the franchise for the right to construct and operate the electric railway to Queenston. Such an arrangement will, in addition to increasing the revenue, effectually overcome the combinations of the hack and livery men that have in the past proved such a curse to the locality.

The Commissioners, therefore, very strongly recommend that an appropriation of \$25,000 be asked from the Legislature for the accomplishment of these objects.

The visitors to the park during the past year numbered 252,379 as compared with 213,874 in the preceding year. Notwithstanding the large increase in the number of visitors, the revenue derived from them only amounted to \$5,705.35, as against \$4,727.42 in 1888. It is satisfactory to note, however, that the construction of the tunnel under the Falls has increased the revenue derived from the elevator about 25 per cent., being \$3,849.25 as compared with \$3,029 the year before.

The Commissioners still hope that with a growing appreciation of the points of interest where a small toll is collected for the use of special appliances and guides, the revenue from these sources will in time be greatly increased.

Interesting information relative to visitors and the sources from which this small revenue is derived will be found in the Superintendent's report and statistical tables that accompany it of which the following is a summary :

Total number of carriages that entered the park during the year	42,505
Total number of visitors in carriages.....	149,145
Total number of visitors on foot	103,204
Total number of visitors	252,379
Revenue derived from the tolls for use of hydraulic lift.....	\$3,849.25
Revenue from tolls from visitors to the Islands	1,856.10
Total revenue	\$5,705.35

The receipts and expenditures for the year are shown in the following summary :

Receipts.

Balance at credit in Imperial Bank of Canada on 1st January, 1889	\$45,892 91
Received from sales of old materials, rents etc.	974 50
Received from hydraulic lift tolls	\$3,849 25
Received from Islands, bridges, tolls	1,856 10
	<hr/>
	5,705 35
Received from Imperial Bank for interest on deposits	1,371 48
	<hr/>
	\$53,854 24

Expenditures.

Paid salaries and wages, including wages of laborers, etc., in connection with works of improvement and general maintenance	\$12,218 80	
Paid for contracts, materials, etc.....	6,366 69	
Paid for Commissioners and legal expenses	445 39	
	<hr/>	\$19,030 88
Paid coupon interest on bonds		21,000 00
		<hr/>
		40,030 88
Balance at credit in Imperial Bank 31st December 1889		13,823 36
		<hr/>
		\$53,854 24

The detailed statement of the expenditures will be found in the appendix.

In closing this report the commissioners desire to record their sincere and heartfelt regret at the death of their esteemed colleague, Mr. J. Grant Macdonald, whose kindly bearing at all times endeared him to his fellow Commissioners, by whom his valuable services on the commission were greatly appreciated.

The report of the Superintendent, together with the accompanying tables, also an interesting report on the 'Flora' of the Park by Professor Panton, M.A., F.G.S., of the Ontario Agricultural College at Guelph, form the appendix to this report.

All of which is respectfully submitted.

C. S. GZOWSKI,
Chairman.

J. W. LANGMUIR,

JOHN A. ORCHARD.

Appendix.

REPORT OF THE SUPERINTENDENT FOR THE YEAR 1889.

To the Commissioners of the Queen Victoria Niagara Falls Park.

Gentlemen,—I beg to submit my report on the works accomplished in the park for the year ending December 31st, 1889.

On the 10th of January, a terrific storm of wind passed over this section of country doing great damage to property of all kinds along the line of its path, which indeed appears to have centred over the Niagara River.

Outside of the park limits the effects of the storm were very apparent in the wrecking of many noble trees, and in the destruction of the entire girder and floor systems of the beautiful suspension bridge spanning the river but a few yards north of the Mowat Gate. Within the park grounds the wind did not have free scope, owing to the protection afforded by the high, well wooded bluff which forms the boundary on landward side, but a large number of beautiful foliage trees were uprooted and many fine cedars and evergreens were broken down and destroyed.

As the storm came from the south-west, it traversed Lake Erie in the direction of its length, and driving the waters of the lake before it towards the outlet, forced them down the comparatively narrow channel of the river towards the falls in a vastly augmented volume. The Dufferin Islands were speedily submerged, and the roadways and paths in many places were swept by the torrent and the roadbed scoured out to considerable depths.

On the Dufferin Islands there is but little soil overlaying the bed rock, and as this was exposed to the action of the swiftly flowing waters much of it was speedily torn away, and the tree roots being buoyed up by the water, left the tops almost entirely at the sport of the winds. Very fortunately when the bridges through the islands had been rebuilt, some eighteen months before, they had all been very securely fastened down, and most of them raised high above the normal level of the water, so they did not suffer damage.

Another serious effect of the storm, and one closely affecting the park, was the loosening and subsequent overturning of very large masses of rock forming the bed of the river at the very brink of the Horse Shoe fall. This recession of the outline of the cataract, which is much more rapid towards the centre of the crest than at the extremities, has the effect of lowering the level of the water at the shore line by drawing it in to the centre. In this instance the loss of head was very appreciable, and together with the lower level of the lakes supplying the river, made a difference of some fifteen inches in the surface of the water at Table Rock, and cut off almost entirely the supply from the beautiful "sheet of water," which has long been one of the chief

delights of intelligent visitors to the Falls.

As the revenue from the pilgrimage under the falls is a matter of importance, it was of course necessary to continue the pathway under the cliffs to where a good supply of water could at all times be had.

In order to effect this it was found to be necessary to tunnel in behind the huge buttress known as "Termination Rock," and a careful survey of the contour of the cliff, and examination of the strata, showed that the conditions were favorable for the carrying out of this important work, which was brought to a successful issue on the 1st of May. The bore was entirely through partially stratified dark blue shale, and a good even ceiling and floor was obtained. From reasons of economy the tunnel was made as short as circumstances would permit of, but it will be comparatively easy to extend the bore and conduct visitors behind the great mass of falling water at any future time, if so desired. The present length is 150 feet, the height 7 feet, and width $4\frac{1}{2}$ feet.

The recession of the falls is creating a great deal of interest at the present time, both among scientists, and the public generally, and a new survey is now being made in order to determine the precise outline of the American and Horse Shoe Falls, that comparison may be had with previous surveys, and data established for readily ascertaining future changes of contour. I shall be glad to apprise you of the results of survey as soon as it can be completed.

In last year's report reference was made to the restoration of the high railway embankment at "Falls View, which work had been undertaken by the railway company under agreement with the commissioners, and completed at great expense. Owing, however, to the treacherous character of the soil, and continued wet weather, a large part of the work was destroyed and had to be done over during the summer. Unfortunately this has again given away, and the beautiful, evenly sloped, terraced and sodded surface is scarred by great ugly gullies, while the semi-fluid sub-soil has carried the earth and sods in great masses far beyond the gravelled trenches at foot of slope. One of the chief causes of failure in this work is the constant exposure of the long slope to the action of the spray from the Horse Shoe Fall, and this coupled with the unstable nature of the material of which the bank is chiefly made up, renders it a most difficult problem to maintain the slope in a natural condition.

Fortunately the greater part of this troublesome bank lies outside of the park boundary, and the cost of restoration has not fallen on the commissioners.

From considerations of economy but little was attempted this past year in the way of procuring and planting out new varieties of trees. The most we could do was to fill in a few gaps along the principal walk between entrance gate and Murray street with dwarf flowering shrubs of the best description, and setting out a few annuals in the beds of picnic garden. This work, though not by any means costly, afforded much enjoyment to visitors generally. The annuals, under care of the gardener, thrived remarkably well and gave evidence of the suitability of the soil and of the location for the highest development of the choicest forms of plant life. As the permanent beauty and value of the

park depends on the development of its character to sustain the higher forms of shade and ornamental planting, it is a matter of regret that in the early history of the scheme even one season should be allowed to pass without adding its quota to the proper furnishing of the grounds.

Early in the season Prof. J. Hoyes Panton, M. A., F. G. S., of Guelph Agricultural College instituted a class for the examination and study of the botany and geology of the park and vicinity. The results of their investigations were of the most interesting and fascinating description.

As a result of the labors of Prof. Panton on this and on former occasions, no less than 457 species, found within the present limit of the park, have been catalogued under their proper and common names. Through the kindness of the author I am enabled to attach a copy of this catalogue.

The year just closed has not, it is generally conceded, been a favorable one in respect to the number of visitors to the Falls. The Paris exposition attracted a very large number of American travellers to Europe, and the tide of European travel was also in a measure diverted, so without doubt a considerable portion of what is usually termed first-class travel was lost to us. Yet notwithstanding this no fewer than 252,079 persons entered the park between the 1st of January and the 31st of December, the greatest number on any one day being 3,315 and the smallest number 68. More than one-half of the total number of visitors enter the grounds in the months of July, August, and the first half of September—say a period of 75 days—the remainder being scattered over the other 290 days of the year. A considerable proportion of the total number are residents of the town and neighboring village, and in some months of summer the rural population is largely represented. As will be seen by the following table Sunday is the chief day for visitors, the percentage for each day being :

Sunday	.....	22.4	per cent.
Monday	.....	11.0	“
Tuesday	.....	13.3	“
Wednesday	.....	13.2	“
Thursday	.....	14.4	“
Friday	.....	12.9	“
Saturday	.....	12.8	“
		100.0	per cent.

Notwithstanding the very large number of visitors recorded, and the greatly improved facilities afforded them for enjoying the natural beauties of the park, the revenues derived from visitors have been disappointingly small, viz : From hydraulic lift, \$3,849.25, and from bridge tolls on islands, \$1,856.10, or a total of \$5,705.35, a very small fraction over $2\frac{1}{4}$ cents for each visitor on an average. This paucity of results is still, in a large measure to be attributed to the substantial inducements held out by the commission paying establishments located at so-called “points of interest,” both in Canadian and American territory ; and also to the continued antagonism of some of the hack-

men, who have continued to manifest anything but a friendly spirit towards us—in fact, some have openly boasted that the park had not gained a dollar in revenue since it was established, when they could prevent it.

Quite a number of them appear also to be under the apprehension that if the revenues of the park are kept down, the property may, before long, pass again under private control, and that there would then be a return to the good old times of commissions and immunity from restraint of any kind.

A small number of the hackmen, chiefly those residing in the immediate vicinity, appear to be well disposed, and evidently seek to afford their patrons every opportunity for enjoying the attractions of the place, but it is very clear that so long as a large percentage of the income of these men is derived from “commissions” paid to them for taking their patrons to places where they may be induced to purchase goods, or see “wonderful sights,” it can hardly be expected that any marked change in their conduct will be manifested.

Another cause which probably helped to reduce the revenue for some months at the beginning of the year, was the loss of the upper suspension bridge, before alluded to ; as this is the chief means of communication between the Canadian and American parks, the want of it necessitated a long detour via the railway suspension bridge, which doubtless deterred many of our American friends from visiting this side.

It has also to be borne in mind that very frequently the weather elsewhere is all that can be desired, but the spray from the Horse Shoe Fall practically bars the progress of those who would approach Table Rock, or go beyond it. Consequently although large numbers of visitors may be within the park, and many of them desirous of experiencing the sensations peculiar to a trip “under the falls,” or of enjoying a quiet ramble through the Dufferin islands, yet they are deterred by the heavy driving spray which for days at a time drenches everything within its reach, and at such seasons are usually ill prepared for the emergency.

It may be interesting to note the sources from which our revenue is obtained. From the register which is kept at the Table Rock House, we know the proportion for the visitors going under the falls, (and the same ratio will doubtless hold for the islands’ tolls), to be as follows :

From United States	70.9	per cent.
From Great Britain	11.1	“
From Canada	10.2	“
From all other countries.....	7.8	“
	<hr/>	
	100.00	“

From this statement it will be very evident that friendly relations with our American cousins would not be at all likely to injure our revenue, while the proportion contributed by Canadians is remarkably small.

This year has been chiefly occupied with the work of maintaining the park in as good a condition as it was possible to do with limited means. Owing to the very favorable location of the grounds both as

to temperature and humidity, the growth of all kinds of grasses is remarkably rapid and strong, and constant cutting and trimming are therefore required to keep the place in reasonably fair order. A considerable section of the lower reach of the grounds, adjoining the well formed and preserved portion known formerly as the Bush property, was carefully graded down and sown with the best lawn mixture, and the very uneven ground between the Table Rock house and Museum building were sloped and levelled and sown in grass. It was also found necessary to extend the rip-rap protection to the shore of Cedar island, where the crib-work protection had become decayed and useless; the slope was also filled and sodded, and the walks put into good shape.

Rustic booths were erected over three of the spring-water fountains, in order to afford a pleasant rest to visitors, and also to protect the supply pipes from the rays of the sun.

The fixed span road bridge on Dufferin islands required some new chord pieces and needle beams. The floor system was also strengthened by the addition of cross bracing. It would be an advantage to divide the span of this bridge into two, by building a centre pier, as the water is shallow, and the cost of pier would be more than balanced by the lessened cost of maintenance.

The two large suspension bridges also required attention, the end posts on west side of each bridge together with the bottom chords fitted to them, were renewed, and suitable corbels and bridge seats put in. The tops of the piers were thoroughly protected against the weather by cement concrete copings. It will be necessary to give each of these bridges a thorough overhauling in the spring, as quite a number of the main suspension needle beams will have to be renewed, and new pieces inserted in both upper and lower chords. Some new guy ropes will also be required as the present ones show signs of weakness.

As one of the large stone chimneys of museum building was, after the great storm of January, found to be in danger of falling, it was taken down and rebuilt. With this exception no repairs have been made to either of the large stone structures formerly occupied by the late Mr. Saul Davis. If they are to be left standing, a very considerable amount of repair will have to be attended to in the early spring; as proximity to the falls renders all exposed work peculiarly liable to decay.

Early in the year, in accordance with arrangements made by the Commissioners and the Hon. the Minister of Education, the Ontario exhibit of minerals which had been prepared for the Cincinnati Exposition, was brought over and placed in the upper front room of the museum building. The display has been very much appreciated and admired by the numerous visitors who took advantage of the opportunity to acquaint themselves with the mineral products of the Province. In this connection it may be stated that notwithstanding 'the large printed notices that the exhibit was free of charge, some of the visitors expressed a fear that there might be a charge made on exit, if none on entry, a strange commentary on the character of Niagara Falls.

Many of our visitors who don the oiled suits to go "under the falls" are anxious to secure a photograph when so equipped, with the

falls as a background to the picture. As in each case when this was desired it became necessary to send out of the park for a photographer, it was decided to grant a lease of the privilege, under suitable restrictions, and to a proper person for a short term of years. This has been done, and visitors are not now required to wait while an artist is being sent for. The franchise is for three years, terminable at any shorter time by the Commissioners on certain conditions. Accommodation is provided for the lessee in Table Rock house and photos only are allowed to be sold.

Before granting a lease of the privilege to sell refreshments within the park, it was considered advisable to continue for another year the tentative arrangement referred to in my last report. Our experience has demonstrated that the convenience of visitors require accommodation of this kind, as many, especially of the class known as excursionists, are wearied by exertion before reaching the grounds, and cannot with reason be expected to walk long distances, often accompanied by little children, in search of food.

It was found essential to the proper protection of the premises, and conducive to the efficient working of the park, to establish a local telephone service connecting the various gates with the superintendent's office. This has proved to be a great convenience; as it is entirely the property of the park there will not be any charge for rentals, and the cost of maintenance will be very slight.

The omnibus service which was established late in the season of 1888 to provide a cheap means of conveyance from one extremity of the park to another, and which was found to meet the requirements of the travelling public very well, was not put into operation during the past season for various reasons. Some such means of transport is certainly desirable, and it is hoped arrangements can be made by which the service may be resumed in 1890.

The issue of the pretty and useful little Folder to which reference was made in last year's report, became exhausted in July. It was of great service in making known the physical features of the park and its surroundings, afforded a great deal of useful information to visitors, and secured them in a measure from misrepresentations of ill-disposed persons. It was certainly very much appreciated, and constant enquiries are being made for copies. In fact so highly was it valued that the commissioners of New York State Reservation determined to issue a similar one, but conveying more fully the special features of their side of the river. This work I am informed is well under way, and will shortly be scattered abroad.

An instrumental survey of the chain reserve on the top of the bank of the Niagara River, as far down as Queenston, was made in order to show the exact location of this property, which has been vested in the commissioners by the Government.

A careful location survey was also made in order to ascertain the physical obstacles to be overcome in the building of an electric street railway from the park to navigable waters at Queenston.

Owing to the rapid lowering of the level of the river along the shore line near the margin of the fall, the supply of water for the town,

which has heretofore been pumped from the little building on Table Rock, was found to be wholly inadequate, and a new and greatly augmented supply urgently needed.

Application was made on behalf of the town authorities for permission to replace the existing works by a new and efficient system that would yield an abundant supply for many years to come. An agreement was therefore entered into by which, in consideration of the privileges accorded, the town are to remove all the present unsightly structures which have so long defaced the shore above the cataract, and erect only such works as have received the approval of the Commissioners. The head race is to be under ground, and the only crib works to be erected will be at the foot of Cedar Island. The town has also to provide facilities for supplying the park with water for street and other purposes without cost.

The works under this agreement are well under way, and it is expected they will be entirely completed before the summer travel begins.

During the past season very determined efforts were put forth by representatives of certain industries on the other side of the river to capture the large excursions which annually come by rail to the Falls from points in Canada. Agents were invariably sent to meet these trains and persuade the excursionists to purchase coupon tickets covering admission to the various "points of interest" so called. In addition to this, substantial inducements were sometimes offered in order to entice the whole party over to the American side, the large profits made on sales to these excursionists enabling shopkeepers to subscribe liberally to a fund used for this purpose. As the scheme worked well during last year, doubtless even stronger efforts will be put forth the coming season, and we may expect to see those who should be our visitors, crowding the vantage points of the New York State reservation.

Notwithstanding the somewhat improved railway connections at Niagara-on-the-Lake, most of the large excursions from Toronto for the Falls still seek the American side.

The amount expended on the works and improvements this year, including cost of superintendence and maintenance is \$19,030.88.

Appendices showing the number of visitors, receipts, expenditures, etc., for each month have been attached. The whole respectfully submitted.

(Signed)

JAMES WILSON,
Superintendent.

The Chain Reserve.

CERTIFIED COPY OF A REPORT OF A COMMITTEE OF THE HON-
OURABLE THE PRIVY COUNCIL, APPROVED BY HIS EX-
CELLENCY THE GOVERNOR-GENERAL IN COUNCIL
ON THE 4TH NOVEMBER, 1890.

The Committee of the Privy Council have had under consideration a Petition to Your Excellency calling attention to the public utility of Queen Victoria Niagara Falls Park, in recent years established upon the western bank of the Niagara River in the vicinity of the Falls, and requesting the issue of a patent from Your Excellency's Government to a certain strip of land known as the Niagara Chain Reserve.

The Sub-Committee to whom the matter was referred submit the annexed report, dated 31st October, 1890, upon the subject, stating that in their view it is desirable that the lands in question, which are of little practical value to the Government of Canada, should be conveyed to the Niagara Falls Commissioners, subject to the reservation for fortification or defence contained in a proposed draft patent set forth in said report, and in consideration of the stipulations contained in the agreement set out in said report, and of Colonel Gzowski's letter, also therein set out, and recommending that an instrument under the Great Seal of Canada, in the form indicated in the said report, do issue in favour of the Commissioners of Queen Victoria Niagara Falls Park.

The Committee concurring in the annexed report and the recommendations therein contained, submit the same for Your Excellency's approval, and they advise that the Secretary of State be authorized to forward copies hereof to the Lieutenant-Governor of Ontario, and to the Commissioners of Queen Victoria Niagara Falls Park.

All which is respectfully submitted for Your Excellency's approval.

(Signed,) JOHN J. McGEE,

Clerk, Privy Council.

Department of Justice,

Ottawa, 31st October, 1890.

To His Excellency, the Governor-General in Council :—

The undersigned has the honour to report as follows :—

By letter dated the 11th April, 1888, the Commissioners of the Queen Victoria Niagara Falls Park forwarded a petition to Your Excellency calling attention to the public utility of the Queen Victoria Niagara Falls Park, in recent years established upon the western bank

of the Niagara River, in the vicinity of the Falls, and requesting the issue of a patent from Your Excellency's Government to a certain strip of land known as the Niagara Chain Reserve.

On the 10th April, 1888, His Honour the Lieutenant-Governor of the Province of Ontario, wrote to the Honourable the Secretary of State a letter to the effect that the application of the Commissioners had the approval of the Government of Ontario, and that it was of importance to the Park and to the object for which it had been established that the lands applied for should without delay be vested in the Commissioners, in order that the same might, during the travelling season of the then present year and thenceforward, be under the same control and arrangement as the rest of the Park, and, as he further stated, that he hoped in the interests of the public Your Excellency's Government would be pleased to accede to the application of the Commissioners.

These and other documents in connection with the matter have from time to time been referred to one or more of the undersigned, as a sub-committee, and they have now the honor to report as follows:—

The Niagara Chain Reserve, so called, has generally been supposed to be a Military Reserve extending from the Town of Niagara to Fort Erie, one chain in width along the top of the western bank of the Niagara River, and to the water's edge.

This property has for many years past been dealt with by the Government of Canada as ordnance land, which, under the provision of the British North America Act, became the property of Canada, and the Government of Canada have from time to time issued conveyances, leases and licenses of portions thereof.

The Government of Canada have purported to grant the Clifton Suspension Bridge Company a grant in fee simple of a certain location occupied by that company's bridges or piers; the Niagara Peninsula Bridge Company hold under lease a portion of the reserve at a rental of \$50 per annum to Canada; the corporation of the town of Niagara Falls holds a license to occupy another portion under rental to Canada.

Notwithstanding, however, that the Dominion Government have claimed to own the property in question, the Government of Ontario and their patentees, the Commissioners of the Queen Victoria Niagara Falls Park, deny the title of Canada to the property, claiming first that the whole of the land above referred to, extending from a line one chain from the top of the bank to the water's edge, was never in fact ordnance land, or at all events that the slope from the top of the bank to the water's edge was not ordnance land, and an action has been brought, and is now pending, against Messrs. Howard & Swinyard, the lessees of the Government of Canada, at the suit of the Commissioners, to eject them from the portion so leased as aforesaid.

Other actions have also been brought at the suit of the Commissioners against persons holding portions of the reserve under the Canadian Government.

The undersigned do not admit the contention that the lands in question were not ordnance lands, although it may be difficult at the present time to prove such a dedication on the part of the Imperial

authorities as would prove that fact.

The litigation above referred to is now proceeding, and the defendants state that in the event of its being established that the Government of Canada had no right to the property, they will claim damages from the Canadian Government by reason of their failure of title.

In view of the possibility that large claims might be made against the Government of Canada in respect to the property in question, should the plaintiffs in the several actions succeed in establishing their title, the undersigned Minister of Justice, with the assent of the other members of the sub-committee, entered into negotiations with the Attorney-General of Ontario and with the Niagara Park Commissioners, with a view of relieving the Government of Canada from all liability in the matter, and also with a view, so far as possible, to meet the wishes of the Government of Ontario in respect to the Chain Reserve.

The following arrangement, subject to approval by the Governments of Canada and Ontario, was entered into :—

Memorandum made on behalf of the Government of Canada and Province of Ontario in respect of certain lands, which may be described as follows :

“All those parcels or tracts of land situated in the township of Stamford, in the County of Welland, in our said province, being composed of all those pieces or strips of land which lie along the bank of the Niagara river, in the township of Stamford, in the county of Welland, between the lots hereinafter mentioned and the river, to wit : Lots No. 144, 129, and broken front of 128, 111, 110 and 93, (A.E.J.,) and across concession or gore in Stamford, (A.E.J.,) and also those other pieces or strips of land in the township of Niagara, in the county of Lincoln, which lie in front of the surveyed lands (A.E.J.,) in front of lots No. 1, 2, and 3, (A.E.J.,) of the said township of Niagara, as far as the town of Queenston, and which border on the Niagara river.

“Whereas there has been a dispute between the said Governments as to the title of the said lands ;

“And whereas by virtue of an Act of the Legislature of Ontario, 50 Vic., C. 13, intituled an “Act respecting Niagara Falls Park,” certain lands therein mentioned were thereby vested in the said Commissioners for the Queen Victoria Niagara Falls Park, and the Lieutenant-Governor in Council was authorized to vest in the Commissioners any part or portion of the Crown Lands, the property of Ontario, lying along the bank of the Niagara river ;

“And whereas Her Majesty the Queen, in right of the Province of Ontario, in accordance with the said statutes by certain letters patent, issued under the Great Seal for the Province of Ontario, did purport to grant certain other lands therein described in fee simple to the Commissioners of the Queen Victoria Niagara Falls Park, for the purposes of the said Park ;

“And whereas by reason of the said statute and the said grant respectively, the said Commissioners have now vested in them whatever estate and interest Her Majesty in right of the said province had in all the said lands as hereinbefore described ;

“And whereas Her Majesty the Queen, in right of the Dominion of Canada, did, by two several instruments under the Great Seal of Can-

ada, bearing date respectively 28th August, 1886, and 22nd July, 1887, purport to demise to Geo. H. Howard and Thomas Swinyard for a certain term, and on certain conditions in the said instruments mentioned, certain portions of the said lands therein described as follows: From the dividing line between lots 92 and 93 to the dividing line between lots 144 and 145, in the township of Stamford aforesaid, with certain privileges in the said instruments mentioned ;

“And whereas the said Commissioners have brought an action against the George H. Howard and Thomas Swinyard claiming title to the lands described, which said action the said Commissioners have set down for trial at the present sittings for trial of causes in the High Court of Justice for Ontario, at Toronto :

“It is agreed that Her Majesty, in right of the Dominion of Canada, do forthwith make a grant to the said Commissioners of all the estate and interest (if any such there be) of the said Dominion, or of Her Majesty in right of the Dominion, in all the said lands, and in terms of a draft grant hereto annexed ;

“And the Ontario Government, in consideration thereof, will indemnify against any damages (if any such there be) to which, in case of the title of the province or of the said Commissioners being established against Geo. H. Howard and Thomas Swinyard, or in case of their admitting the said title they may be under their said lease legally entitled to against the Dominion, or against Her Majesty as representing the Dominion.

“It is further agreed that the said Commissioners, if the defendants desire, are to postpone the trial of the said action against the said George H. Howard and Thomas Swinyard until the autumn sittings of the Chancery Division of the said court.

“Nothing in this agreement is to be construed as preventing the appropriation of the lands mentioned in the said lease by the Commissioners or the province, in the terms and in the manner provided by law, or as preventing the Governor-General from granting a fiat to the said lessees for a petition of right in the event of their desiring to prosecute any claim against the Dominion of Canada.

Toronto, June 8th, 1889.

(Signed) ROBERT SEDGEWICK,
For Dominion of Canada.

(Signed) E. F. B. JOHNSTON,
For the Province of Ontario.

CANADA.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc.

To all whom these presents shall come. Greeting :

Know ye that we, of our special grace, and by and with the advice of our Privy Council for Canada, have granted, surrendered, released

authorities as would prove that fact.

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“And whereas Her Majesty the Queen, in right of the Province of Ontario, in accordance with the said statutes by certain letters patent, issued under the Great Seal for the Province of Ontario, did purport to grant certain other lands therein described in fee simple to the Commissioners of the Queen Victoria Niagara Falls Park, for the purposes of the said Park ;

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“And the Ontario Government, in consideration thereof, will indemnify against any damages (if any such there be) to which, in case of the title of the province or of the said Commissioners being established against Geo. H. Howard and Thomas Swinyard, or in case of their admitting the said title they may be under their said lease legally entitled to against the Dominion, or against Her Majesty as representing the Dominion.

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Toronto, June 8th, 1889.

(Signed) ROBERT SEDGEWICK,
For Dominion of Canada.

(Signed) E. F. B. JOHNSTON,
For the Province of Ontario.

CANADA.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc.

To all whom these presents shall come. Greeting :

Know ye that we, of our special grace, and by and with the advice of our Privy Council for Canada, have granted, surrendered, released

and confirmed, and by these presents do grant, surrender, release and confirm unto the Commissioners for the Queen Victoria Niagara Falls Park, their successors and assigns, all those parcels or tracts of land situated in the township of Stamford, in the county of Welland, in our said Province, being composed of all those pieces or strips of land which lie along the bank of the Niagara river, in the township of Stamford, and county of Welland, between the lots hereinafter mentioned and the river to wit :—Lots number one hundred and forty-four, one hundred and twenty-nine, and broken front of one hundred and twenty-nine, one hundred and twenty-eight, one hundred and eleven, one hundred and ten, and ninety-three, and the cross concession or gore in Stamford, and those pieces or strips of land which lie along the bank of the River Niagara, in the township of Niagara, in the county of Lincoln, in front of the surveyed lands in front of lots No. one, two and three of the said township, as far as the town of Queenston, together with all or any interest which the Dominion of Canada may have in any other lands heretofore granted by the Lieutenant-Governor in Council to the said Park Commissioners ;

To have and to hold the same to the said The Commissioners for the Queen Victoria Niagara Falls Park, their successors and assigns, for ever, in trust for the purposes of the said Park, subject, nevertheless, and without prejudice to any valid grants, sales, licenses, agreements, leases, or agreements to lease heretofore made or entered into respecting the same, and subject also to the right of the Dominion of Canada to assume the said lands in case of the same being required for fortifications or for defence of the country, and provided also that these presents are not to be construed as expressing or implying any covenants for title.

In testimony whereof we have caused these our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed.

Witness, John Joseph McGee, Deputy of Our Right Trusty and well beloved the Right Honourable Sir Frederick Arthur Stanley, Baron Stanley of Preston, in the County of Lancaster, in the Peerage of Great Britain, Knight of the Grand Cross of the Most Honourable Order of the Bath, Governor-General of Canada, and Vice-Admiral of the same.

At our Government House at our City of Ottawa, this day of , in the year of Our Lord, one thousand eight hundred and eighty-nine, and in the fifty-second year of our reign.

By command.

(Sd.) G. POWELL,

Under Secretary of State.

The provisional agreement above set out was approved by the Lieutenant-Governor of Ontario in Council, on the 15th June, 1889, a copy of the Order in Council being as follows :—

Copy of an Order in Council approved by His Honour the Lieutenant-Governor, dated the 15th day of June, A.D., 1889 :

The Committee of Council have had under consideration the report of the Honourable the Attorney-General, dated 8th June, 1889, submitting for ratification and approval by Your Honour a joint memorandum of the said date, signed by the Deputy Minister of Justice of

Canada and the Deputy Attorney-General of Ontario, for the purpose of identification with respect to certain lands heretofore vested in the Commissioners for the Queen Victoria Niagara Falls Park, so far as the Province of Ontario has power to vest the same, and to which the title has heretofore been in dispute between the Governments.

The Committee are of the opinion that the agreement proposed in the said memorandum is satisfactory, and advise that the same be adopted and ratified by Your Honour.

Certified.

(Sd.) J. LONSDALE CAPREOL.

Asst. Clerk, Ex. Council.

Shortly after the passing of the Order in Council, some questions having arisen as to the meaning of the words "valid grants, sales, licenses, agreements, leases, or agreements to lease, heretofore made or entered into," contained in the draft patent above set out, further personal communication was had with the representatives of the Government of Ontario, and of the Niagara Park Commissioners, and an agreement was come to as to the obligations of the Ontario Government and of the Commissioners in respect to the same, such agreement being contained in a letter from Coll. C. S. Gzowski, Chairman of the Commissioners, to the undersigned Minister of Justice, which letter is in the following words :—

Toronto, 24th July, 1889.

To the Honourable Sir John Thompson, K. C. M. G., etc.,

Minister of Justice, Ottawa :

Sir,—

I have the honour to address you on the subject of the incidents to follow the issue of Letters Patent by your Government to the Commissioners of the Queen Victoria Niagara Falls Park of certain lands along the Niagara River, in accordance with the minute of terms signed on 8th ult. by Mr. Sedgewick, Deputy Minister of Justice and by Mr. E. F. B. Johnston, on behalf of the Attorney-General of Ontario.

From Mr. A. E. Irving, Solicitor of the Commissioners, I learn that Mr. Sedgewick pointed out yesterday to him certain matters which had been put forward as within the provision contained in the draft of the Letters Patent, as to grants, sales, licenses, agreements, leases or agreements to lease, heretofore made or entered into respecting the same, and in respect of which it would be desirable that the Commissioners should indicate that they would accept the suggestions of the Dominion Government.

The suggestions put forward by Mr. Sedgewick, as explained to me, I have the honour to assure you will be observed, and in order that the position of the Commissioners may be thoroughly understood, I beg leave to rehearse them :

That the Clifton Suspension Bridge Company seem to have obtained a grant in fee simple from Canada of a certain location occupied by that bridge, or by the piers of that bridge.

That the Niagara Peninsula Bridge Company (Cantilever) holds under lease, paying a rental of \$50 per annum to Canada.

That the Corporation of the town of Niagara Falls hold a license to occupy land, or a lease of land at the Ferry Landing, at a rental to Canada.

With respect to the two bridge properties, it is desired that the land described in the instruments issued by the Dominion Government, shall be vested in fee in those corporations respectively, but in the case of the Cantilever bridge not to deprive the Commissioners of the Park of the right to cross under the bridge for any purposes for which they may desire access across the land in the above instrument described, nor deprive the Commissioners of occupying any part of the Chain Reserve on the top of the bank, in order to pass under that part of the Cantilever bridge or its approach passing over the chain.

And in the case of the Clifton Suspension bridge, not to deprive the Commissioners of the right to cross under the bridge for any purposes for which they may desire access across the land in the above instrument described, nor to deprive the Commissioners of any part of the Chain Reserve on the top of the bank.

And in respect of both of the said bridges, that there shall not be by the Commissioners any interference with their uses.

And as far as the Cantilever bridge is concerned, subject to payment in lieu of the rental of \$50 per annum, the sum of \$1000 in the meantime to be paid to the Commissioners. Should it be hereafter judicially determined that the Chain Reserve, so called, including the slope to the water's edge, belongs to Canada, the Commissioners will refund this money to the Dominion Government.

That in respect to the license or lease to the town of Niagara Falls, also within the provision thus stated, if interfered with by the Commissioners, for such interference the Dominion Government shall be indemnified against the claim of the town of Niagara Falls, or those holding under them.

These engagements, I have the honour to remark, are all such as were in contemplation as the terms, among others, upon which the Letters Patent to be issued by the Government of Canada to the Commissioners were based.

With reference to the further question raised by the claim made by James Murray, the assignee of John Lawrence, the Commissioners undertake to indemnify the Government of Canada against that claim if the circumstances show that the purchase money paid by Lawrence was passed to the credit of the late Province of Canada before confederation.

Should it hereafter appear that the Dominion Government has purported to convey or transfer to any other person or company any interest in the lands described in the proposed Letters Patent, or any portion of the same, the Commissioners will indemnify the Dominion Government against all claims which may be made against it by reason of such instrument.

Trusting that the foregoing will be in accordance with your wishes,
I have the honour to remain, Sir, your obedient servant,

(Sd.) C. S. GZOWSKI,

Chairman of Commissioners of the Queen Victoria Niagara Falls Park.

The undersigned have now the honour to state that, in their view, it is desirable that the lands in question, which are of little practical value to the Government of Canada, should be conveyed to the Niagara Falls Commissioners, subject to the reservation for fortifications or defence contained in the proposed draft patent, and in consideration of the stipulation contained in the agreement above set out and Colonel Gzowski's letter, and would therefore recommend that an instrument under the Great Seal of Canada, in the form above indicated, do issue in favour of the Commissioners of Queen Victoria Niagara Falls Park, and that the Government of Ontario and the Commissioners be so informed.

Respectfully submitted.

Minister of Militia and Defence,
(Sd.) ADOLPHE CARON.

Minister of Justice,
(Sd.) JNO. S. D. THOMPSON.

Minister of Interior,
(Sd.) E. DEWDNEY.

FIFTH ANNUAL REPORT
OF THE
Commissioners
FOR THE
Queen Victoria Niagara Falls Park
1890

To the Honourable Sir Alexander Campbell, K. C. M. G.,
Lieutenant-Governor of the Province of Ontario.

May it please your Honor :

The Commissioners of Queen Victoria Niagara Falls Park, as required by Statute, herewith submit for the information of the Legislature their Fifth Annual Report in relation to the affairs of the Park, together with a statement of the receipts and expenditures for the year ended 31st December, 1890.

Until an assured means is provided, either from local revenues or a legislative grant, for meeting the payment of interest on the debenture indebtedness and the ordinary maintenance of the Park, the Commissioners recognize to the fullest extent the necessity of strictly confining the expenditures to what is absolutely essential to the protection of existing structures or works, and the safety and reasonable convenience of the public. In the exercise of this strict economy no new works of construction or permanent improvements were entered upon during the past year, with the exception of the partial renewal and strengthening of the various bridges, which had become unsafe.

Notwithstanding, however, the inability of the Commissioners, owing to the want of funds, to proceed with certain works, which form part of the plans for the restoration and development of the park, they are glad to be able to report that much has been done by the working staff to improve and beautify the park property. Waste land has been reclaimed ; trees and shrubs planted, and the roads, paths and lawns have been extended and improved.

The unsightly crib work that formed part of the old water works system of the Town of Niagara, and which has for many years defaced the grand water view in the immediate vicinity of the great cataract, has been removed by the municipality, greatly improving the general appearance of the park at its most attractive point.

The negotiations with English capitalists for the right to use the waters of the Falls of Niagara for the purpose of generating electricity have been continued during the past year. The object of the promoters is to generate as well as transmit electricity of enormously high voltage for motive power, lighting and general purposes to all cities, towns and manufacturing points within a radius of from one hundred to one hundred and fifty miles from Niagara Falls. The terms and conditions on which the franchise is to be granted are fully detailed in the report of the Commissioners for 1889, and are briefly as follow :— The lessors to pay for such privilege the sum of \$25,000 per annum for the first ten years (of which two years' rental of \$50,000 is to be paid in advance) and an increase thereafter of \$1,000 a year until the annual rental shall reach \$35,000 in the twentieth year, when the contract may be renewed for further periods at that maximum annual rental; all the constructions and plant required for the operation of the works to be carried out subject to the approval of the Commissioners, and are in no respect to detract from or in any way deface the park. The promoters were also to receive the franchise to construct and operate an electric railway from the southern boundary of the park along the top of the river bank to Queenston, for which franchise they were to pay \$5,000 and five per cent. of the gross earnings of the railway. They were likewise to be allowed to acquire, at a cost fixed by arbitration or private arrangement, the inclined railways at the whirlpool and whirlpool rapids, which they were to operate in connection with the electric railway, and to pay the Commissioners ten per cent. of the gross proceeds derived therefrom. The fares on the railway and inclines to be subject to the approval of the Commissioners.

These terms and conditions were accepted by the representative of the English capitalists, but as they were then carrying on experimental electric works on a very extensive scale at Deptford, England, they were not prepared to conclude the contract until the results of the English operations were more fully known. They were, however, given an option to enter into a contract within one year on depositing \$10,000 with the Commissioners as an evidence of good faith, which sum was to be forfeited to the Crown unless a contract was closed on or before 1st March, 1891.

Owing to unforeseen difficulties and delays incident to nearly all large undertakings, and more especially one of the scientific character and enormous magnitude of the proposed scheme, the time for the final closing of the contract passed and the deposit was forfeited.

Letters had been received by the Commissioners during the year from certain persons who desired to negotiate for similar privileges, including the franchise, to construct and operate an electric railway on the upper bank of the river to Queenston. The right to build and work an electric railway under the bank of the river from the Falls to a point below the whirlpool was also solicited by another firm. Pending the currency of the option with the English capitalists no proposals could be entertained, but when that expired on 1st March without a contract being entered into, the Commissioners were then at liberty to treat with the various parties for the rights and privileges they asked for.

Before, however, entering upon new negotiations the Commissioners, after the most careful consideration of every phase of the question, and with due regard to the important interests committed to their care, decided not to accept proposals for acquiring the franchise of the electric railway and the inclines, separate and distinct from the right to use the Falls for the purpose of generating electricity. It appeared to them that the various works and interests are so inseparably connected : the electric railway for the transportation of material and supplies, and the electricity as motive power to work the inclines and railway, that a separation of these schemes would be likely to cause very serious confliction and possibly much friction in separate managements.

For these reasons the Commissioners decided not only to restrict all proposals to the various schemes en bloc, but also on the same lines and on similar terms and conditions as were granted to the English capitalists.

With respect to the proposal to construct an electric railway under the bank of the river, on a careful examination of the location by the chairman it seemed so apparent that danger to life and property from falling masses of rock would be so great, even if the most effective precautions were adopted, that the Commissioners decided that the proposal must be rejected.

The parties soliciting the right to build the electric railway on the bank of the river were informed that their offer could not be entertained unless amended so as to include the larger scheme for generating electricity. This they would not do.

Only one offer was made for the construction and operation of electrical works and railway on the lines of the option granted to the English capitalists, but as the parties making the proposal could not comply with the terms of payment and wished the Commissioners to make a reduction in the fixed annual rental and to accept royalties and other considerations in lieu of such reduction, the negotiations could not be further proceeded with.

The representative of the English capitalists at this juncture renewed his proposals to the Commissioners for the extension of the option. He stated that the difficulties which Mr. Ferranti, the eminent electrician in charge of the Deptford works had encountered, were practically solved, and that the transmission of electricity at a pressure of 10,000 volts had actually been effected and transmitted a distance of ten miles. Further reliable information had been received that experiments on the same lines had been carried out in Germany at a pressure of 17,000 volts and the power transmitted for over one hundred miles with very slight loss in transmission.

The chairman of the Commission on the occasion of his being in England during the year, visited the works at Deptford, and the stations in London, and was much impressed with the magnitude of the operations that were being carried on, and the system and thoroughness that seemed to characterize the efforts of the Company. He also obtained a partial corroboration of the statements made in respect to the transmission of electricity for motive purposes by personally wit-

nessing at the Grosvenor Station machinery requiring 100 horse-power moved by electricity generated and transmitted from Deptford, a distance of nearly ten miles.

In view, therefore, of the imperative necessity of obtaining means to defray the ordinary maintenance of the park, including the payment of the debenture interest as well as for the gradual improvement of the property, it was evident to the Commissioners that one of two courses has to be adopted in order to provide the necessary funds: First, the development to the fullest extent of the works referred to in order to obtain therefrom and at the earliest possible day a sufficient annual revenue to maintain and improve the park; or failing which, in consideration of the property having become public domain and the park having been practically declared to be free to the whole world, that the Province shall undertake to provide the means of defraying the maintenance expenditures and shall make an annual appropriation for that purpose.

Having for the past four years given the most thoughtful consideration to the first proposition, and having made careful enquiry into the various schemes for generating electricity for transmission for motive and lighting purposes, the Commissioners are convinced that the Province possesses for that purpose a most valuable asset in the practicable unlimited power of the Falls of Niagara. It is only a question of time when that unlimited power shall become available, and the rapid development that is constantly taking place in electrical science seems to indicate that within the next few years effective transmission for distances of from one hundred to one hundred and fifty miles have been accomplished. Already rival schemes are being projected, both on the New York and the Canadian sides of the river, having for their object the utilization of the water power as well as electricity in the immediate vicinity of the Falls. The success of these projects involves the removal of factories and establishments in search of cheap motive power to the Falls or in close proximity to them, and the abandonment in many instances and at very great loss of existing buildings and plant. While cheaper motive power might thus be secured it will in such cases be at the expense of giving up greater railway facilities and better distributing advantages than perhaps could be obtained at Niagara Falls or its vicinity. Moreover, many requirements for electric motive power, such as street railways and other services of a localized character, could not be benefited by the proposed method of utilizing the water of Niagara River and Falls.

For these reasons it is quite clear that the advantages of the transmission system are vastly superior in every respect to the local projects. It is quite evident, however, that its development must be placed in the hands of capable and competent men possessing not only the necessary scientific qualifications but also the command of abundant capital. As the result of continued negotiations with all parties desirous of obtaining the rights and privileges to be disposed of, the Commissioners had no hesitation in deciding in favor of English capitalists. In furtherance of this decision and with the consent of the Government an agreement was arrived at to extend the option for another year on the following terms:—

1st. That a further sum of \$10,000—making \$20,000 in all—should be deposited, which sum shall be forfeited to the Crown unless the contract to lease the water power for generating electricity is finally closed on the terms and conditions previously recited, on or before 1st March, 1892.

2nd. On payment of \$5,000 and on furnishing satisfactory evidence to the Government and the Commissioners that the lease for the water power shall be entered into and the work commenced on or before 1st March, 1892, the contract for the franchise for the electric railway shall be executed on the terms specified, in accordance with the Act of the Legislature in that behalf, and the work connected therewith at once commenced.

During 1890 no less than 251,923 persons visited the park as compared with 252,379 in 1889 and 213,874 in 1888. It would appear from the statement attached to the Superintendent's Report that 141,375 of these 251,923 visitors entered the park in 39,487 carriages and vehicles and that the remaining 103,234 were pedestrians. The total revenue derived from this large number of visitors only amounted to \$5,815, viz., from the elevator \$4,018.50, and from visitors to the islands \$1,797.10. As the cost of maintaining the park, including the payment of the interest on the debentures, amounted to \$36,037.34, it will thus be seen that the revenue was only equal to about sixteen per cent. of the maintenance expenditures. Had each visitor to the park paid the small fee of five cents and carriages and vehicles twenty cents each, over \$20,000 would have been received from admissions, which, together with the fares from the elevator, would have made an aggregate revenue of over \$25,000.

A detailed statement of the receipts and expenditures will be found attached to the Superintendent's Report, of which the following is a summary :—

RECEIPTS.

Balance at credit in Imperial Bank on 31st Dec., 1890	\$13,823 36
Received from sale of old material, rents, etc.	1,176 25
Received from hydraulic lift tolls	\$4,018 50
“ island bridges tolls	1,797 10
	<hr/>
	5,815 60
“ Imperial Bank, int. on deposits	380 47
“ English capitalists as a forfeitable deposit in connection with the proposal to lease the water power of the Falls being proceeds of bill of exchange for £2,000	9,700 00
Imperial Bank of Canada overdraft	5,041 66
	<hr/>
	\$36,037 34

EXPENDITURES.

Salaries and wages, including wages of laborers	\$11,842 36	
Paid for materials, etc.	1,782 24	
Renewal work on bridges, etc....	1,315 83	
Commissioners' expenses ...	96 91	
		\$15,037 34
Coupon interest on bonds to 1st July..	10,500 00	
Coupon interest on bonds to 31st Dec.	10,500 00	
		\$36,037 34

The foregoing summary shews that the expenditures for park maintenance for the past year amounted to \$15,037.34, as compared with \$19,030.88 for the preceding twelve months. The coupon interest in each of the years respectively amounted to \$21,000. As the receipts for the year, including the balance at credit at the end of 1889 and \$9,700 received as forfeitable deposit in connection with option for lease of water power, only amounted to \$20,995.68, the bank account had to be overdrawn to the extent of \$5,041.66 in order to clear off the indebtedness for the year.

It will thus be seen that the amount reserved to pay the coupon interest out of a portion of the proceeds of the sale of debentures is now exhausted and the bank account is also overdrawn to the extent of \$5,041.66, for which provision will have to be made as well as for the coupon interest and a portion of the ordinary maintenance for the current year.

The Appendix contains the Annual Report of the Park Superintendent, Mr. James Wilson, who continues to discharge his duties to the entire satisfaction of the Commissioners.

All of which is respectfully submitted.

C. S. GZOWSKI,
Chairman.

J. W. LANGMUIR,
JOHN A. ORCHARD.

APPENDIX, 28TH APRIL, 1891.

Since writing the foregoing report the Commissioners have received the additional forfeitable deposit of £2,000 stg. On crediting the accounts with the proceeds of this draft, \$9,744.44, and paying the current accounts for the maintenance of the park up to the 1st April instant, the bank account stands on that date as overdrawn \$231.62.

C. S. GZOWSKI,
Chairman.

Appendix.

REPORT OF THE PARK SUPERINTENDENT FOR YEAR 1890.

To the Commissioners of the Queen Victoria Niagara Falls Park :

Gentlemen,—I beg to submit my report for the year ending December 31st, 1890.

In my last year's report, reference was made to a violent storm on the 10th of January, 1889, which caused great damage to property in the immediate vicinity of the park, and destroyed many noble trees and effected other damage within the grounds. This year, and at very nearly the same date, viz., on January 13th, we were again visited by a storm which quite equalled that of 1889 in intensity, but it was of shorter duration and not so steady ; therefore it did not exert as great an influence upon the waters of lake or river, and the damage to soil and roadways by flood water was not so great. The varying direction of the hurricane, however, as it veered around from the south-west to west, tended to increase the strain upon all obstacles exposed to its fury, and the suspension bridges connecting the Dufferin islands, were, in turn, most severely tested. One of them, indeed, was for a time in great jeopardy owing to the giving way of the guys on the windward side under the excessive strain caused by the wave-like succession of fierce blasts, and the bridge would undoubtedly have been destroyed had not assistance been at hand at the moment, with tackling and appliances, by means of which temporary stays were secured to points on shore, and the structure secured until the storm abated.

The effects of this tornado were very plainly seen at several points within the park, and many fine trees, principally evergreens, were blown over. Below the Falls the water rose to a height of twenty-five feet above the normal, and carried away the small gangway leading from the winding path from Elevator to Split Rock, although it had been well loaded down with large stones.

The effect of the high water in changing the outline of the Horse Shoe Falls was again made apparent, portions of the rock forming the crest of the Falls being carried away, but the change was of limited extent when compared with the result of the storm of 1889.

The new water works system, which was undertaken by the town authorities under agreement with the park Commissioners and referred to in last year's report, was prosecuted during the spring and summer months and completed early in October. This work occupied a much longer time than was anticipated, owing to the difficulty found in carrying on operations in the spray from the Falls. The extensive excavations required for the various portions of the work, and the large temporary shelters required to protect the workmen employed on the building, were very detrimental to the appearance of the portion of the grounds immediately beyond Table Rock, and no doubt contributed in a large measure to diminish the travel over the upper reaches of the park. A great and permanent improvement has been made by the tak-

ing away of the unsightly crib work which formed the old raceway, the removal of the low building used for a pump house, and the levelling off of the foreshore from Table Rock to the end of Cedar Island. When this foreshore is covered over with a good layer of soil and seeded down and planted with the wild flowers and shrubs of the locality, the general appearance of this part of the grounds will be very good indeed. The new pump house is of a neat design, and is well and substantially built. Although a prominent feature of the landscape, it cannot with reason be objected to.

The past year has not been a favorable one for visitors. During the winter and spring months there was a very considerable falling off in numbers from the corresponding period of last year, and which may be attributed to the prevalence of the strange epidemic known as "la grippe." Later on in the year the excursion travel exhibited a marked diminution, owing, no doubt, to a partial failure of the crops in many parts of the province. To compensate for these losses, however, there were several distinct sources of gain, one of them being the increased advantage taken of the park by the residents of the town and vicinity. This is apparent from the greater number of pedestrians entering the stiles, and from the marked increase in the number of private carriages entering the gates.

Another noticeable feature was the many family and Sunday school picnics held during the period of pleasant weather. The park is found to be an exceptionally favorable place for such gatherings, as, in addition to the fine shade afforded by the foliage, and the magnificent scenery at command, the excessively high temperatures found even in the immediate vicinity of the park, are here tempered by the unique atmospheric conditions created by the mighty fall of water, and children can romp at will, or convalescents swing in their hammocks without experiencing the discomfort usually attending an outing in midsummer elsewhere.

This year the park had the honor of a visit from their Royal Highnesses the Duke and Duchess of Connaught, who spent a couple of days in viewing the Falls and surroundings. The Royal party were graciously pleased to express their high appreciation of the works of preservation and restoration accomplished by the Commissioners.

The total number of visitors for the year was 251,923, or slightly under the number reported for 1889. Visitors in carriages were not so numerous by nearly eight thousand, while the pedestrians number over seven thousand in excess.

As was noted in last year's report, the chief day for visitors is Sunday, the percentage for each day of the week being as follows :—

Sunday	19.4	per cent.
Monday	11.7	"
Tuesday	12.7	"
Wednesday	14.2	"
Thursday	13.1	"
Friday	15.3	"
Saturday	13.6	"

		100.0

It will be of interest to note the various nationalities of the visitors who have contributed to our revenues, as recorded in the register kept in the Table Rock House, which gives the tally of these going under the Falls ; the proportions are as follows :—

United States	73.8	per cent.
Great Britain	12.4	“
Canada	8.0	“
Germany	2.1	“
France	0.8	“
All others	2.9	“
	100.0	

From the necessity for the exercise of the strictest economy in the expenditure this year, all works of improvement and restoration had to be postponed, excepting only such as were considered to be absolutely essential to the safety and convenience of the public, and which could not be delayed. The chief work of renewal was the taking out of the unsound needle beams of the two suspension bridges and replacing with new and stronger timbers; this work proved to be even more urgent than was anticipated or could be ascertained from a general inspection of the structures, as, owing to the humidity of the atmosphere consequent on the proximity of the falls, the life of timber is considerably lessened and its strength after a few years much impaired, even though the outer casing may appear to be sound and good.

Both of the suspension bridges had, practically, entirely new floor systems put in, and these should give but little trouble for some years to come. The trusses, however, were not attended to and will require substantial repairs this year, as the ends of many of the chord timbers, and also of the braces, show signs of decay.

The suspension bridges have been much strengthened by the addition of three new and more substantial guy ropes in each case, to prevent motion in case of wind storms. These stays have all been fastened to new and heavy anchorage piers, which have been placed in position to afford a more direct resistance to the swaying of the structures in storms. Two additional guys are needed in order to complete the protection of these bridges from wind pressure, and these should be put on early in 1891.

The fixed span bridge on Dufferin Islands should have a new centre pier, as suggested in last year's report, in which case the Howe trusses could be dispensed with. The cost of the pier would not exceed the outlay required to keep the trusses in order, and the permanent maintenance charge would be considerably lessened.

Slight repairs have been made to the Cedar Island bridges as required during the year. Each of these will require new railings next season.

One of the abutments of the first suspension bridge is in bad order; it was built up of small stones originally and has proved to be too weak for the duty required of it. Its renewal cannot be much longer delayed with safety.

The Table Rock House and Museum buildings received only the most superficial repairs during the year. Both are much in need of immediate attention if they are to be preserved. Owing to the imposing dimensions of these buildings, and their location being so near to the Falls, they are necessarily prominent features of the landscape, and it is desirable that they should be made to appear in some measure worthy of their surroundings.

The works of maintenance were chiefly those consequent on the keeping of the roadways and paths in order, and an effort to make the lawns and turf as even and as effective as possible.

A large piece of the open ground lying west of the gardener's house was in a very rough and uneven condition and could only be kept in order by hand mowing. A portion of it was levelled off and sown in oats and clover. This part will be kept close clipped next year and form a section of the grounds intended to be appropriated for a permanent recreation and play ground. It is proposed to reclaim another piece, contiguous to the above, next year, and thus to gradually recover, at small cost, the unimproved territory embraced by the park.

Economic considerations have again compelled the postponement of anything like a comprehensive and systematic planting out of the grounds with suitable flowering or ornamental trees. A few good flowering shrubs, for bare corners along the cliff walk, being all that could be attempted this season, and regret must again be expressed that another year should be allowed to pass without something being accomplished in this most desirable work.

The flower beds near the museum building were filled with annuals of various kinds. The plants all thrived nicely and afforded a charming "bit" of color to contrast with the lawns and shrubbery.

One of the noticeable effects of the high water in spring was the cutting away of the debris slope under the falls, and more particularly opposite the entrance to the tunnel. At this point the slope or talus was made up chiefly of the shale rock blasted out to form the tunnel and of masses of the same material which have from time to time become detached from the face of the cliff. Owing to the composition of this rock it is subject to disintegration under the combined influence of air and moisture, and in this particular case the action was greatly accelerated by the impact of the water falling over the cliffs, one hundred and twenty feet above. As the shale broke into fragments the water quickly scoured it out, and consequently the narrow path under the cliffs, by which access is had to the tunnel, became impassable. To remedy this the water was prevented from falling over the cliffs at the place in question by a temporary dam, and a strong cribwork was built to form a "toe" for an embankment of limestone, which was with difficulty put in place and carried up to the proper level. Of course all this work had to be done in the spray and where the footing was very insecure owing to constant moisture, but it was accomplished without accident. Advantage was also taken of this temporary shutting off of the water from this part of the cliff to construct some light bridges, by which access may be had to the edge of the river in front of tunnel entrance. This affords a full face view of the cliffs and Falls from the best possible standpoint, and it was very highly appreciated by all the

visitors under the Falls who could be persuaded to make the descent; many of them, indeed, spent hours in wrapt enjoyment of the scene, even though subjected to the vagaries of the spray. Should the means at command admit of the expense, it would be desirable to extend this work the incoming year so as to afford greater facilities to visitors for the enjoyment of the magnificent views only to be had along the edge of the river.

Considerable repairs to the shelter in the museum garden were necessary to make it serviceable, and also some slight repairs to various other shelters.

The large spring water ponds near the superintendent's office were thoroughly cleaned out of the accumulated deposits of leaves, etc., and the fish found therein temporarily placed in the ponds in the museum garden.

The pathway leading on to Sumack Island has been extended through to a connection with the main road, forming a very pretty and secluded ramble past Tempest Point. It was a work involving but a trifling expense, but it formed a little "bit" much enjoyed by tourists.

We have felt the need of another edition of our folder all through the past season. Very many applications for a copy of it have been made by those who desired a guide to the park. As the matter is all preserved on the lithographer's stone the cost of another edition would not be great, and of its value there could be no question. The folder prepared by the New York State Reservation Commissioners has been largely distributed, but only a very limited number of the visitors to our park appear to have them.

The survey of the crest line of the Falls, which was undertaken by the New York State surveyors, has at length been completed and will shortly be published. From a statement made by Mr. Bogart, the chief engineer, the maximum recession of the Horse Shoe Fall has been two hundred and seventy feet since 1842, and the average mean recession for the same period one hundred and four feet six inches.

The total amount expended on the maintenance works and renewals for the year, including cost of labor and superintendence, etc., is \$15,037.34.

Appendices shewing the number of visitors, receipts, expenditures, etc., for each month have been attached.

The whole respectfully submitted,

JAMES WILSON,

Superintendent.

Niagara Falls, December 31st, 1890.

QUEEN VICTORIA NIAGARA FALLS PARK.

Statement of expenditure for the year 1890.

Maintenance Charges					General Charges		Total
1890	Salaries	Labor	Materials, etc.	Renewals, of bridges, etc.	Commiss- ioners' ex- penses,	Interest on bonds	
	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
January.....	604 16	310 33	180 43	.....	.....	.....	1,094 92
February....	604 16	220 01	102 29	.....	.....	.....	926 46
March.....	575 66	178 69	167 58	.....	12 81	.....	934 74
April.....	604 16	168 75	88 63	.....	.....	.....	861 54
May.....	594 66	477 12	147 97	.....	15 00	.....	1,234 75
June.....	606 16	465 39	214 40	485 83	.....	10,500 00	12,271 78
July.....	596 67	581 90	69 49	618 45	.....	.....	1,866 51
August.....	606 17	571 06	76 59	211 55	.....	.....	1,465 37
September...	606 17	454 07	199 31	.....	.....	.....	1,259 55
October.....	596 67	476 76	275 51	.....	25 00	.....	1,373 94
November....	606 17	376 50	157 41	.....	44 10	.....	1,184 18
December.....	603 67	357 32	102 61	.....	.....	10,500 00	11,563 60
	7,204 48	4,637 90	1,782 22	1,315 83	96 91	21,000 00	36,037 34

JAMES WILSON,
Superintendent.

QUEEN VICTORIA NIAGARA FALLS PARK.

Statement shewing the number of visitors and the money received for 1890.

Months, 1890	No. of carriages entering the park.		No. of Visitors		Receipts from Visitors			Average per visitor in cents		Sundry		
			In carriages	Pedestrians	Total	Elevators	Islands	Total		Receipts rents, sales, etc	Interest on bank deposits	
January ...	712	1,941	2,915	4,856	60 25	7 10	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
February	992	2,750	2,901	5,651	88 50	11 75	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
March ...	986	2,826	3,084	5,910	89 50	10 70	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
April ...	1,606	4,804	5,099	9,903	174 75	39 35	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
May ...	2,471	7,907	7,398	15,305	314 00	71 75	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
June ...	4,396	14,762	12,235	26,997	428 25	227 95	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
July ...	6,715	24,994	20,016	45,010	740 50	399 75	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
August ...	8,884	37,220	29,624	66,844	1,129 25	553 05	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
September ...	5,309	19,562	13,422	32,984	524 00	297 45	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
October ...	3,643	12,683	7,224	19,907	303 25	134 25	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
November ...	2,008	6,510	4,140	10,650	108 25	29 85	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
December	1,765	5,416	2,490	7,906	58 00	14 15	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
Totals, 1890	39,487	141,375	110,548	251,923	4,018 50	1,797 10	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.
Totals, 1889.	42,405	149,145	103,234	252,379	3,849 25	856 10	\$ c.	\$ c.	c.	\$ c.	\$ c.	\$ c.

Signed,

JAMES WILSON,

Superintendent.

GRANT TO THE COMMISSIONERS OF CHAIN RESERVE IN TOWNSHIPS OF BERTIE, WILLOUGHBY AND NIAGARA. ...

(COPY)

Province of Ontario.

A. CAMPBELL,

Great seal of the Province

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To All to Whom These Presents Shall Come,—

Greeting :

Know Ye that we of our special Grace, certain knowledge and mere motion, have given and granted, and by these presents do give and grant unto

The Commissioners of the Queen Victoria Niagara Falls Park all those parcels of land in the Townships of Bertie and Willoughby, in the County of Welland, and in the Township of Niagara, in the County of Lincoln :

First—Being composed of all those pieces or strips of land which lie along the bank of the Niagara River, situate in the Townships of Bertie and Willoughby, and County of Welland, in the Province of Ontario, being composed of those portions of land fronting on the Niagara River and extending from the Garrison Road, in the Village of Fort Erie, to and including Lot Number Twenty-two, in the Second Concession of the Township of Willoughby, lying between those portions of the lots, heretofore granted by Letters Patent from the Crown, and the waters' edge of the River Niagara.

Second—All those pieces or strips of land which lie along the bank of the Niagara River and County of Lincoln, in said Province of Ontario, being composed of those portions of land fronting on the River Niagara, commencing at the intersection of the northerly angle of the Military Reservation at Queenston, on Lot Number Five, Broken Front Concession, in the Township of Niagara, with a point within one chain of the waters of the Niagara River, as referred to in the Letters Patent to Elijah Phelps, bearing date the First day of July, in the year of our Lord one thousand seven hundred and ninety-nine, to and including a certain tract above Navy Hall, patented to William McClellan, on the Tenth day of June, in the year of our Lord one thousand eight hundred and one, lying between those portions of the lots, heretofore grant-

ed by Letters Patent from the Crown, and the waters' edge of the Niagara River.

Given under the Great Seal of our Province of Ontario : Witness, the Honourable Sir Alexander Campbell, Knight Commander of our most distinguished Order of St. Michael and St. George, a member of our Privy Council of Canada, Lieutenant Governor of our said Province of Ontario ;

At Toronto, this Twenty-sixth day of October, in the year of our Lord one thousand eight hundred and ninety-one, and in the fifty-fifth year of our reign.

By command of the Lieutenant Governor in Council.
Des. No. 12746 A. A.

(Sgd.) J. M. GIBSON,

Secretary.

(Sgd.) ARTHUR S. HARDY,

Commissioner of Crown Lands.

Recorded 5th November, 1891.

(Sgd.) JOHN H. USHER,

Deputy Provincial Registrar.

SIXTH ANNUAL REPORT
OF THE
Commissioners
OF THE
Queen Victoria Niagara Falls Park
1891

To the Honourable Sir Alexander Campbell, K. C. M. G.,
Lieutenant-Governor of Ontario.

May it please your Honor :

In conformity with the requirements of the Statute, the Commissioners of Queen Victoria Niagara Falls Park beg to submit their Sixth Annual Report, together with the usual financial and statistical statements showing the condition and progress of matters pertaining to the Park for the year which ended on the 31st of December, 1891.

The Commissioners, as in their two former reports, have again to state that owing to the want of funds no new works of restoration or permanent improvements have been prosecuted during the past year. The ordinary working staff of the Park was fully employed in keeping the extensive and varied domain in as neat and attractive a state as possible, and in the performance of these works of maintenance regard has always been had to permanent effects as well as to the temporary and annual improvement of the grounds.

It cannot be expected, however, that the small expenditures for the ordinary maintenance works that are carried on with the few men comprising the permanent staff can accomplish much in permanent results. Not less than \$10,000 per annum should be expended for several years to come, in reclamation and artistic treatment of the 154 acres of lawn and meadow and the beautifully wooded islands, hillsides and sloping shores within the Park boundaries. However bountifully nature has adorned this magnificent Provincial reservation, it is evident that there must be good roads, walks, paths and all requisite artificial aids to enable every part of the grounds to be properly appreciated and enjoyed.

It may safely be asserted that nowhere on this Continent is there such a compact area of similar extent where the natural scenery is susceptible of the production of the most charming results as can be effected by the expenditure of a few thousand dollars annually. The Commissioners therefore hope that the day is not far distant when funds will be placed at their disposal to permit of proceeding with the plans for the continued development and improvement of the property placed

under their care and supervision.

In their last report the Commissioners pointed out that the Park revenues derived from the hydraulic lift and the tolls for visiting the islands were quite inadequate to meet the ordinary Park maintenance, exclusive of the interest on the debentures, and expenditures for much needed permanent improvements. The results of the past year only confirm the previous statements in this respect, as it will be seen by reference to the financial statement attached to this report, that while the ordinary maintenance expenditures for the year amounted to \$14,588.57, the revenue was only \$7,041.76, shewing an excess of expenditures over receipts of \$7,546.81. To this should be added the interest on the Park debentures amounting to \$21,000.

In view of this large annual deficit, the Commissioners in their last report sought to impress upon the Government that, if the maintenance of the Park was not to become, very largely, a charge on the revenues of the Province, the projects referred to in previous reports, having for their object the raising of revenue, must be pushed forward and developed to the fullest extent. Respecting these projects, very full information has been given from time to time in relation to the protracted negotiations that they have been conducting for the disposal of the franchise to construct an electric railway along the banks of the river, and also for the right to use the waters of the river on the Canadian side to generate electricity to be transmitted to cities and towns within a radius of 150 miles from Niagara Falls for motive power, lighting and other purposes.

An option was granted to certain English capitalists and electricians to acquire the franchise for constructing and operating the electric railway, as well as the works for generating electricity. The conditions of the option for the railway require that an agreement should have been executed and entered into on or before 1st September, 1891. The parties interested in the enterprise, however, were unable to form a company having the requisite capital, in consequence of which the option lapsed.

The option for the privilege of using the waters of Niagara for generating electricity, granted to the same parties, does not expire until 1st March, 1892, when upon payment of two years' rental in advance, viz., \$50,000, they have the right to acquire the lease of the power on the terms and conditions set out in the agreement dated December 17th, 1889.

The main objects the Commissioners had in view in promoting the electric railway scheme were (1) to obtain revenue for the Park maintenance and to assist in the payment of interest on the debentures issued to acquire and improve the property, (2) to increase the number of visitors, primarily for revenue purposes, but also to bring into greater prominence the Canadian Park and its historic environment on the banks of Niagara river, by connecting it with all the great railway lines of the Continent, (3) to overcome the antagonism of the cabmen, who have persistently opposed the interests of the Canadian Park ever since it was founded.

The more effectually to accomplish these objects, the Commission-

ers decided that the southern terminus of the railway should be located at the mouth of the Chippawa river so as to ensure steamboat connection with the City of Buffalo, and the northern terminus at Queenston in order to connect with Toronto and other points on Lake Ontario. In the selection of these terminal points they were of the opinion that a very considerable portion of the great tourist and picnic travel would thus be intercepted at Buffalo and brought down by boat to the southern terminus at Chippawa, and from there by the electric railway to Niagara Falls and Queenston, and thence by steamers to Toronto and other points on Lake Ontario and the River St. Lawrence. They were also of the opinion that if a large hotel was erected on one of the many splendid sites on the elevations outside of the Park boundaries the Canadian side of the Niagara river would become one of the greatest summer resorts on the Continent.

It has been truly said that "there is but one Niagara," and it is equally true that there can only be one such electric railway with its unique and magnificent surroundings. Leaving Chippawa in observation cars travellers over the proposed route would have in continuous sight the surging rapids above the Falls, before coming in full view of the entire face of the great cataract itself with all its unparalleled grandeur; then the magnificent river gorges with the whirlpool and whirlpool rapids, through which the waters of our inland seas are compressed between the rocky walls until the placid waters of the mighty river are viewed from the historic heights of Queenston as they wend their way to Lake Ontario.

Having regard to the great advantages that were likely to accrue to the Park as well as the Canadian side of the Niagara river generally by the construction and operation of an electric railway such as has been outlined in the preceding remarks, the Commissioners considered it of vital importance that no time should be lost in accomplishing such a desirable object. When, therefore, the option given to the English capitalists was forfeited by their inability to form a company and raise the necessary funds, the Commissioners at once commenced negotiations, with Mr. E. B. Osler and other gentlemen associated with him, for the construction and operation of the electric railway. These gentlemen being not only wealthy capitalists, able to obtain the requisite funds to successfully complete the undertaking, but who also from their large experience and connection with railway enterprises are eminently fitted to form the requisite connections with all parts of the Continent, in order to popularize the use of the proposed railway, the negotiations with these gentlemen were brought to a successful conclusion, and with the consent of the Government an agreement was entered into on 4th December last, of which the following is a copy:

See page 135 for text of agreement.

Immediately upon the execution of the foregoing agreement steps were at once taken to locate the line, and at the date of this writing, the Commissioners are informed that all the works of construction are under contract and are being vigorously pushed forward.

Under the provisions of clause 19 of the agreement, the Commissioners are to receive \$10,000 per annum payable quarterly for the franchise, and such payments are to date from 1st September, 1892. The Commissioners confidently hope that on the opening of the railway the volume of travel will be largely augmented and that the revenue derived from the hydraulic lift will also be correspondingly increased.

Should it be found practicable and safe from an engineering standpoint, the Commissioners may, under the terms of the agreement, notify the Company to proceed within six months from the date of such notice, with the construction of what is designated the low level railway. The location of this proposed road is to be along the edge of the river under the bank and is to commence near the Clifton House and to extend to Queenston or such intermediate point as may be determined. For the franchise of this additional section of electric railway the Commissioners are to be paid \$7,500 per annum. Should the Company, however, on being notified decide not to proceed with its construction, the franchise may be granted to another Company.

It will thus be seen that at least \$10,000 will be annually added to the Park revenues commencing on 1st September, 1892, and in the event of the low level railway being found practicable and constructed the income will be still further increased by \$7,500 per annum. Should the English capitalists avail themselves of their option to lease the waters of Niagara for the production of electrical power, \$25,000 per annum will also be received from that source. If, however, the option lapses the Commissioners are confident, having regard to the rapid development of electrical science and the facilities for transmitting power, that it will only be a short time before the unlimited force of Niagara will be sought after.

The Commissioners therefore have good grounds for believing that the Park revenues will soon be sufficient, not only to meet all expenditures for ordinary maintenance, interest on the bonds, as well as the creation of a sinking fund for their redemption, but that funds will also be available for works of reclamation and the permanent development and improvement of the Park.

From the statistical tables attached to the Superintendent's report it will be observed that the visitors to the Park are increasing and this year number no less than 272,485 as compared with 251,923 in the preceding year. Of this large number of visitors 172,127 entered the Park in 46,274 carriages and 100,358 were pedestrians. The income derived from visitors using the hydraulic lift amounted to \$3,894.15 as against \$4,018.50 in 1890, and tolls from visitors to the Islands produced \$1,958.70 as compared with \$1,797.10 in the preceding year, the total amount from both sources being \$5,852.95 as against \$5,815.60 in 1890.

The following summary shews the receipts and expenditures for the year, details of which will be found in the financial statement attached to the Superintendent's Report :

Receipts.		
Received from sale of old material, rents, etc. ....	.....	\$1,113 50
“ Hydraulic lift tolls .....	.....	\$3,894 25
“ Island bridges tolls.....	.....	1,958 70
	<hr/>	5,852 95
“ Imperial Bank, interest on deposits .....	.....	282 63

“	English capitalists a a forfeitable deposit in connection with the proposal to lease the water power of the Falls, being proceeds of Bill of Exchange for £2,000	9,744 44
“	Solicitor's costs returned in the suit against Colt et al	306 30
“	Osler Syndicate deposit for electric railway franchise	10,000 00
	Imperial Bank of Canada, overdraft	13,330 41
		<hr/> \$40,630 23

Expenditures.

Imperial Bank, overdraft on 31st Dec., 1891	\$ 5,041 66
Salaries and wages, including wages of laborers..	11,386 69
Paid for materials, etc.	2,478 60
Renewal work on bridges, etc.	547 96
Commissioners' expenses	175 32
	<hr/>
	\$19,630 23
Coupon interest on bonds to 1st July, 1891	10,500 00
Coupon interest on bonds to 31st December, 1891	10,500 00
	<hr/>
	\$40,630 23

The Appendix herewith attached contains the annual report of the Park Superintendent, as well as the usual financial and statistical tables.

All of which is respectfully submitted.

C. S. GZOWSKI,
Chairman.

J. W. LANGMUIR;
JOHN A. ORCHARD.

APPENDIX.

REPORT OF THE PARK SUPERINTENDENT FOR YEAR 1891.

To the Commissioners of the Queen Victoria Niagara Falls Park :

Gentlemen,—I beg to submit my report for the year ending December 31st, 1891.

Owing to the necessity for the exercise of strict economy in the expenditure for the year, but little could be done towards the general development of the Park design, and most important and desirable works of reclamation and improvement had again to be left in abeyance, and for the same reason many works of maintenance and renewal had also to be put off for another year. The utmost that could be attempted therefore, was to keep the front of the property in a clean and attractive condition, the roads and paths well trimmed, and picnic grounds and much frequented portions as tidy and serviceable as possible.

The year has been remarkable for the unusually low level of the water in the river, both above and below the Falls. This circumstance is of importance from its relation to the chief source of revenue in the Park, viz., "going under the Falls," as well as from its effect in changing the appearance of some of the upper reaches of the property where the water at its best is a bit shallow.

Some three years ago, the general level of the river at Table Rock was considerably and permanently lowered by the receding of the crest line of the Falls in the centre of the "Horse Shoe" and the consequent drawing in of the water from the extremities. During the greater part of the past season the surface level has been still further reduced by the low water obtaining in Lake Erie, and the result was that frequently the rocky strata which forms the bed of the river has been exposed for fully one hundred and fifty yards within the former limit. As the tunnel by which visitors are conducted behind the falling waters was only carried out a distance of about fifty yards, or sufficiently far to afford a fairly good view of the falling mass of water and spray under the conditions obtaining three years ago, it frequently happened that the mouth of the tunnel was practically dry and visitors were much disappointed in not being able to enjoy the peculiar sensations connected with this trip. In order to compensate, in measure, for this disappointment, paths were made along the water's edge and visitors conducted in front of the cliffs as far as the spray would admit of; there is no question but that the front views of the fall, from the water's edge in lower river, are magnificent and awe-inspiring in the extreme, yet visitors are very desirous of getting behind or underneath the "sheet of water," and if the Commissioners wish to continue to afford the opportunity for doing so, the present tunnel must be extended a sufficient distance under the cliff to ensure an abundant flow of water over the mouth at all seasons of the year, and in extreme low water.

The number of visitors to the Park during the year has been 272,-

485 or about eight per cent. in excess of the greatest number recorded in any previous year since the opening of the Park. Those entering in carriages aggregated over 172,000, or some 30,000 (or eight per cent.) above last year; pedestrians were less numerous by 10,000, or only a fraction above 100,000. The lesser number of pedestrians this year is mainly owing to two reasons, viz., the much better facilities afforded large excursion parties to reach the Falls on the American side, at small cost, and chiefly to the very substantial inducements held out by the excursion agencies over the river, to the organizers of large excursions to the Falls to take their parties to the many "points of interest" which are to be found within convenient distance of the state reservation.

The increase in all classes of travel to Niagara Falls this last year was very marked, but until better facilities are provided for transport from the railway depots on the Canadian side, it is hardly to be expected that our Park will command its just proportion of visitors, more especially of those who bring their families to spend the day at the Falls.

A tabulated statement is appended shewing the number of visitors entering the gates for each month of the year, and the comparative aggregate numbers for 1890.

The revenue received from visitors in 1891 amounted to \$5,852.95, or at the rate of 2 15-100 for each one entering the Park. Of this sum \$3,894.25 was collected at Table Rock for parties going under the Falls, and the balance of \$1,958.70 from the islands tolls. In addition to these items the sum of \$1,222.62 was received from rentals, etc., etc., making the gross revenue from the Park \$7,075.57, an increase of \$33.81 over the year 1890.

Very pleasing effects, at small cost, were obtained from the flower garden adjoining the museum building. Throughout the season the display of carefully selected and massed bedding plants was much enjoyed and favourably commented upon by very many of our visitors; the site is much favoured by nature for this purpose, as the proximity of the Falls and the abundance of spray affords the needed moisture in the best possible form, and the location is thoroughly protected from storm.

As an evidence of the favourable climatic conditions obtaining it may be stated that the true English daisy is here found growing freely in the garden lawn, and the bloom has been gathered every month in the year.

Early in the summer a most valuable and highly acceptable gift was made to the Park by the Government of Ontario. In recognition of the services so freely rendered the Province, for so many years, by the Park Commissioners, a beautiful bronze statue of the Chairman, Sir Casimir Gzowski, was erected in the Park and unveiled on the 25th July. The figure is half length, and faithful to life in every detail. It is suitably mounted upon a red sandstone pedestal and bears upon a

brass plate the following inscription :—

COLONEL
SIR CASIMIR GZOWSKI,
K.C.M.G.,
Aide de Camp to the Queen,
Chairman of the
QUEEN VICTORIA NIAGARA FALLS PARK
COMMISSION.

Erected by the Government of Ontario,
A.D. 1891.

A very appropriate site for the statue was selected in the north-east corner of the flower garden, where, flanked by a magnificent flowering Chinese magnolia on the one hand, and a beautiful drooping cut-leaved birch on the other, it stands for all time a memorial of the high esteem in which the labours of the Commissioners, and especially those of the Chairman, have been appreciated by the Government of the Province.

A valuable collection of the flora found within the precincts of the Park has been made during the last two years by the gardener, Mr. Roderick Cameron, whose assiduity and thoroughness in this connection have been much praised by Prof. Macoun and several other distinguished botanists. Over seven hundred remarkably good specimens have already been mounted and named, and several of the "families" have yet to be taken in hand. It is confidently anticipated that by another year nearly one thousand distinct specimens will have been secured all from our own territory. The collection is now being labelled and indexed, and will, without doubt, be of great value and of much assistance to all students of botany who may visit the Park.

No less than two drafts have been made upon the collection of the minerals of Ontario now exhibited in the museum building, one for the use of students in the School of Applied Science, Toronto, the other for consignment to "The Imperial Institute," London, England.

Towards the close of the season it was found that some of the repairs on the Suspension Bridges, which had to be left over from last year for want of money, could not with safety be longer delayed. Many of the chord pieces, braces and needle beams required immediate attention, and the sound timbers were much in want of paint.

This work was undertaken late in the fall, and sufficiently far advanced to make things safe for the winter before cold weather. The work can be completed early in the spring.

The low water in river was taken advantage of to put in a small centre pier under fixed span bridge on Dufferin Islands, as previously recommended ; this will permit of the truss being dispensed with and a

simple double span stringer bridge substituted, thereby lessening the cost of maintenance from year to year. This bridge will also be lowered a few inches.

The need of additional shelters at various points, and a considerable increase in the number of benches or seats, particularly for the lower reaches of the Park, has been very manifest during the past season. It is hoped that these may be provided before another season's travel is upon us, as the comfort of visitors is much enhanced by conveniences of this kind.

I have again to report that the large stone buildings known as "The Museum" and "Table Rock House" are in need of substantial repairs.

The refreshment room in museum building was open during the summer months, and proved of great convenience to visitors.

Many enquiries have been made throughout the year for copies of the pretty little folder issued some three years ago, which contained a good map of the Park and its surroundings and embodied in brief form a great deal of useful information. A new issue would not be costly, as the work is still preserved on the stone by the lithographers, and without doubt it would be very much appreciated by all intelligent visitors and carried away as a souvenir for future reference.

Notwithstanding the large numbers present during the midsummer months, no difficulty was experienced in maintaining order.

The whole respectfully submitted,

JAMES WILSON,
Superintendent.

Niagara Falls, February, 1892.

QUEEN VICTORIA NIAGARA FALLS PARK.

Statement shewing the Money received and the Visitors for 1891.

Months, 1891	Number of carriages entering the park	Number of Visitors			Receipts from Visitors				Sundry Receipts			Total Receipts		
		In carriages	Pedestrians	Total	Total			Average per Visitor in cents	Interest on bank deposits					
					Elevator	Islands	Total		Rents, sales, etc.					
					\$	c.	\$	c.	\$	c.	\$	c.		
January	1,846	5,550	3,189	8,739	70	25	16	15	86	40	0	99	171	90
February	1,747	5,310	2,982	8,292	76	75	10	45	87	20	1	05	172	70
March	1,504	4,467	3,212	7,679	78	25	9	55	87	80	1	15	173	30
April	1,944	5,563	4,632	10,195	143	25	36	45	179	70	1	76	265	20
May	3,294	11,172	7,640	18,812	320	25	140	10	460	35	2	45	566	62
June	4,453	15,840	9,526	25,366	363	00	232	65	595	65	2	35	687	65
July	7,595	31,112	19,473	50,585	802	50	424	65	1,227	15	2	42	1,317	65
August	9,943	41,396	25,230	66,626	1,035	75	533	70	1,569	45	2	36	1,699	95
September	6,886	27,368	12,480	39,848	522	25	370	30	892	55	2	24	983	05
October	3,754	13,647	6,445	20,092	273	25	140	70	413	95	2	06	508	70
November	2,250	7,620	3,007	10,627	128	50	31	05	150	55	1	50	250	05
December	1,058	3,082	2,542	5,624	80	25	12	95	93	20	1	66	278	80
Totals, 1891	46,274	172,127	100,358	272,485	3,894	25	1,958	70	5,852	95	2	15	7,075	57
Totals, 1890	39,487	141,375	110,548	251,923	4,018	50	1,797	10	5,815	60	2	30	7,041	76

Statement of Expenditure for the Year 1891.

1891	Maintenance Charges			General Charges		Total
	Salaries and wages	Materials and Miscellaneous.	Renewals of bridges	Commissioners' Expenses	Interest on Bonds	
	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
January	779 67	168 49	42 14	.....	.....	990 30
February	790 16	163 81	.....	.....	.....	953 97
March	748 54	122 36	.....	7 25	.....	878 15
April	779 92	243 37	.....	29 82	.....	1,053 11
May	996 96	190 95	.....	33 00	.....	1,220 91
June	1,150 56	194 87	.....	10 25	10,500 00	11,855 68
July	1,136 47	232 73	.....	15 00	.....	1,384 20
August	1,201 82	41 83	.....	30 00	.....	1,273 65
September	1,109 80	167 77	.....	.....	.....	1,177 57
October	870 81	243 39	.....	30 00	.....	1,144 20
November	901 49	75 55	243 50	.....	.....	1,209 54
December	1,020 49	633 48	273 32	20 00	10,500 00	12,447 29
Total	11,386 69	2,478 60	547 96	175 32	21,000 00	35,588 57

JAMES WILSON, Superintendent.

AN ACT TO CONFIRM A CERTAIN AGREEMENT MADE
BETWEEN THE COMMISSIONERS OF THE QUEEN
VICTORIA NIAGARA FALLS PARK AND THE CANA-
DIAN NIAGARA POWER COMPANY, AND TO ENABLE
THE SAID COMPANY TO CARRY THE AGREEMENT
INTO PRACTICAL EFFECT.

Statutes of Ontario. [Chapter 8, 55 Vic.]

[Assented to 14th April, 1892.]

Her Majesty, by and with the advice and consent of the
Legislative Assembly of the Province of Ontario enacts as
follows :—

1. The agreement made between the commissioners for Agreement
Confirmed
the Queen Victoria Niagara Falls Park and Albert D. Shaw,
Francis Lynce Stetson and William B. Rankine, dated seventh
day of April, 1892, and as set forth in schedule A hereto, and
in this Act hereinafter designated as “the agreement,” is
hereby approved, ratified, confirmed and declared to be valid
and binding on the parties thereto ; and each of the parties
thereto is hereby authorized and empowered to do whatever
is necessary to give effect to the substance and intention of
the provisions of the agreement, and is hereby declared to
have and to have had power to do all acts necessary to give
effect to the same.

2. The said Albert D. Shaw, Francis Lynde Stetson, Wil- Incorporation
liam B. Rankine, and John D. Irwin and Charles J. Holman,
together with all such persons and corporations as shall be-
come shareholders in the company hereby incorporated, shall
be and are hereby constituted a body corporate and politic
by and in the name of the “Canadian Niagara Power Com-
pany,” and the persons in this section named shall be the
provisional directors of the company.

3. The company shall have power and authority to con-
struct, maintain and operate works for the production, sale Corporate
Powers
and distribution of electricity and pneumatic power for the
purposes of light, heat and power ; to construct, maintain
and operate intakes, tunnels, conduits and other works in,
through and under the lands and water-courses constituting
the Queen Victoria Niagara Falls Park, but only in the man-
ner and to the extent to be approved by the Commissioners
of the Queen Victoria Niagara Falls Park, and in the manner
and to the extent required for the corporate purposes of the

Company as provided in the said agreement ; to conduct, store, sell and supply electricity and pneumatic power ; and said Company shall have power with such pneumatic electric or other conductors or devices as shall have been permitted and approved of by the Commissioners of the Queen Victoria Niagara Falls Park to conduct, convey and furnish or to receive such electricity or power to or from any person, corporation or corporations at any place or places by any means through, under and along any property in respect of which they may have acquired the right, and through, under and along the streets, highways and public places of any municipality or municipalities, or across or along any of the waters within this Province by the erection of the necessary fixtures, including posts, piers or abutments for sustaining the wires or conduits, provided the same are so constructed as not to incommode the public use of such streets, highways and public places, or to impede the access to any house or other building erected in the vicinity of the same, or to interrupt the navigation of such waters. The authority herein given in respect of such streets, highways and public places shall only be exercised subject to such agreement in respect thereof as shall be made between the company and the said municipalities respectively, and under and subject to any by-law or by-laws of the councils of the said municipalities passed in pursuance thereof. The company shall also have power to take and hold stock in any corporation created for or engaged in business of using or supplying water of the Niagara River, or of any corporation created for or engaged in the use of power or light derived from such water and may hold stock in any corporation which shall contract to purchase, lease, or use any power or property of the said company, and its stock may also be owned, held and voted on by any such corporation or person ; and the said company shall have power upon receiving proper authority so to do, to take its lines or conductors across any bridge over the Niagara River, subject always to any agreement that may be entered into with respect thereto, with the owners for the time being, of such bridge. It shall also have power to acquire, upon such terms as may be agreed upon, the agreement mentioned in the first section of this Act, and all rights granted thereunder by said Park Commissioners, and also the benefit of any work that shall have been done and any moneys that shall have been expended in connection with the said works prior to the organization of the said company.

4. The capital stock of the company shall be the sum of
Capital Stock \$3,000,000, to be divided into shares of \$100 each ; and the money thereby raised shall be applied in the first place to the payment of all fees, expenses and disbursements for the procuring of the passage of this Act, and for making of the surveys, plans and estimates connected with the said works, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said works and to the other purposes of this Act.

5. The directors may pay or agree to pay in paid-up stock or in bonds of the said company, or in both, such sums as they may deem expedient to engineers or contractors, or for right of way or material or plant, buildings or lands, or the construction or equipment of the works or any part thereof, and also subject to the sanction of the vote of the shareholders for the services of promoters or other persons who may be employed by the directors, for the purpose of assisting the directors in the furtherance of the undertaking or the acquiring of the agreement mentioned in section 1 of this Act.

Power to
make certain
payments in
Stock.

6. The directors of the said company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, the whole amount of the issue of such bonds not to exceed in all the sum of \$5,000,000, which shall, as therein provided, be a charge (subject always to the payment of the annual rent to the Commissioners as provided in said agreement) upon the works, franchise and plant of the company and payable at such times and places as the directors shall determine; and the said company hereby incorporated may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they can, under the powers of this Act, issue for construction of the said undertaking, works or otherwise.

Issue of bonds

7. All shareholders in the said company, whether British subjects or aliens, or residents of Canada or elsewhere, have and shall have equal rights to hold stock in the said company and to vote on the same.

Rights of
Aliens

8. It shall be lawful for the corporation of any municipality, in any part of which the works of the company or any part thereof pass or are situate, by by-laws specially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross, or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as to such municipal corporation may seem expedient, not exceeding twenty-one years, and any such by-law shall not be repealed unless in conformity with a condition contained therein.

Exemption
from taxation

9. The clauses of The Ontario Joint Stock Companies General Clauses Act, save so far as they are varied or inconsistent with this Act, shall be incorporated in this Act.

Rev. Stat. c.
156 to apply

SCHEDULE "A."

This agreement made this 7th day of April, 1892, between the Commissioners for the Queen Victoria Niagara Falls Park acting herein on their own behalf and with the approval of the Government of the Province of Ontario, and hereinafter called the commissioners, of the first part; and Albert D. Shaw, of Watertown, in the State of New York, Francis Lynde Stetson, and William B. Rankine of the City of New York, hereinafter called the company, of the second part.

And whereas for convenience and to prevent ambiguity it is agreed and understood by and between the said parties hereto and is hereby declared as follows, that is to say:

(a) The expression "the park" whenever it occurs herein shall be understood to mean the park proper, namely, the Queen Victoria Niagara Falls Park south of its original boundary in front of the Clifton House and running easterly to Niagara River.

(b) The expression "the commissioners" wherever it occurs herein shall be understood to mean not only the commissioners of the Queen Victoria Niagara Falls Park—as representing the Government of the Province of Ontario in the premises—named as parties hereto of the first part, but also their successors and assigns and those who for the time being may be the commissioners of the Queen Victoria Niagara Falls Park, or other representatives of the Government of Ontario in the premises.

(c) The expression "the company" wherever it occurs herein shall be understood to mean not only the individuals above named as parties hereto of the second part, but also their and each of their heirs, executors, administrators, and assigns, and the company to be incorporated as hereinafter mentioned, and its successors and assigns.

And whereas the company have applied to the commissioners for the right to take water from the Niagara River at a certain point or points in the park, in order that the company may thereby generate and develop electricity and pneumatic power for transmission beyond the park.

And whereas it is the intention of the company to apply to the Legislature of Ontario at its present session for a charter of incorporation to enable them and such others as may be associated with them in the undertaking to construct and operate the said works hereinafter defined.

And whereas the company desire to secure the right to construct their works in the park, and the commissioners have agreed to permit such construction upon the terms and for the considerations hereinafter expressed and contained, or intended so to be.

Now, therefore, this agreement witnesseth as follows, that is to say:—

(1) For the purpose of generating electricity and pneumatic power to be transmitted to places beyond the park, the commissioners hereby grant to the company a license irrevoc-

able save as hereinafter limited, to take water from the Niagara river, between the head of Cedar Island and the main land south thereof, and lead such water, by means of the natural channel between Cedar Island and the main land and the further extension of the channel, to supply works to be erected and constructed by the company in buildings and power houses on the main land within the park, on a location near the foot of the high bluff between the Carmelite Monastery and the rear of the Table Rock House, which location shall occupy a tract of land of not more than 1,200 feet in length by not more than 100 feet in width, such location of buildings and power houses from time to time to be erected as shall be hereafter settled within the aforesaid limits by the commissioners.

(2) The company shall have the further right to excavate tunnels to discharge the water led from the Niagara River to the said buildings and power houses so that such water by means of such tunnels shall emerge below the Horse Shoe Fall at or near the water's edge of the Niagara river.

(3) The right to take water from the Niagara River for the purposes aforesaid shall be subject to the rights existing and heretofore granted under the three following agreements, namely :

(a) The agreement between the commissioners and the corporation of the town of Niagara Falls, dated the first day of September, 1889, and the right of granting at the expiration of the said agreement, the use of the same amount of water to the said town or to any other party.

(b) The agreement for the construction of the electric railways in accordance with the Act of the Legislature of Ontario entitled An Act to incorporate the Niagara Falls Park and River Railway Company, and subject to the point of intake of water to generate electricity under the terms of the agreement being fixed by the commissioners as may be found necessary.

(c) The agreement made with Sutherland Macklem for the supply of water for the mansion and grounds known as Clark Hill.

(4) The license hereby granted is for the term of twenty years, commencing with the first day of May, 1892, the company paying therefor at the clear yearly rental of twenty-five thousand dollars (\$25,000) during the first ten years (the rent to be computed from the first day of November, 1892) ; The rental for the period from the first day of May, 1892, to the first of November, 1894, which is fixed at fifty thousand dollars (\$50,000), having been paid to and accepted by the commissioners in two payments of the sum of fifteen thousand dollars (\$15,000) and the further sum of thirty-five thousand dollars (\$35,000) paid by the company at or prior to the execution and delivery of this instrument ; the rent for the remainder of the first ten years of the term to be payable in half-yearly payments and at the end of each six months, to wit, on the first days of May and November of each

and every year, the first of such semi-annual payments to be made on the first day of May, 1895.

The rental for the second ten years of the term payable half-yearly on the first days of May and November as above, shall be as follows :

The eleventh year	\$26,000.
The twelfth year	27,000.
The thirteenth year	28,000.
The fourteenth year	29,000.
The fifteenth year	30,000.
The sixteenth year	31,000.
The seventeenth year	32,000.
The eighteenth year	33,000.
The nineteenth year	34,000.
The twentieth year	35,000.

Provided always that if any part of the said rent, whether payable under this paragraph or in respect of the renewal term or terms in the following paragraph, shall be in arrear for three months whether legally demanded or not, the commissioners, or if not then an existing corporation, the Government of the Province of Ontario, may re-enter on the premises, or on any part thereof in the name of the whole and thereupon this agreement shall determine, and the remainder of the term then current shall terminate as well as any renewal or renewals thereof which under this agreement may be claimed.

(5) If at the end of the said period of twenty years the company desire to renew for a further period of twenty years, and shall give notice in writing to the commissioners at least twelve months before the expiration of the twenty years period, they shall be entitled to and shall receive a further lease of such rights for the period of twenty years more at the rental of thirty-five thousand dollars (\$35,000) per annum, and similarly the company shall be entitled at their option to three further renewals at a like rental of thirty-five thousand dollars (\$35,000) per annum, the object and intention of this stipulation being to confer upon the company the right to an original term of twenty years at the rentals hereinbefore specified, and to four further terms or periods of twenty years each at a rental of thirty-five thousand dollars (\$35,000) per annum, making one hundred years in all, and the company shall then give up, or at the expiration of the first term of twenty years, or any subsequent term of twenty years, if unrenewed in accordance with this agreement, the works, premises, rights and privileges by this agreement granted or created without any claim for compensation with liberty to the company to remove their machinery. In case the company desire to terminate the lease, they may do so during the first period of twenty years upon three months'

notice in writing to the commissioners, or in case the commissioners are not then an existing corporation, the Government of the Province of Ontario, payment of rent up to the time of the termination of such notice being made upon the giving of such notice.

(6) In respect of all the rights and authorities which the commissioners, by the agreement, have conferred or agreed to confer upon the company to exercise in and about the execution of the works to be constructed, and operating or working the same, and of all other matters herein agreed upon, the company will indemnify the commissioners in respect of the exercise of said rights by the company, and will hold them safe from any liability to any person whomsoever.

(7) For the transmission of electricity and pneumatic power to points beyond the park the company shall have the right to convey the same by wires, cables or other appliances in conduits beneath the surface of the park :—And the company may pass a conduit under the electric railway within the park to enable electricity or pneumatic power to be conveyed between the railway and the edge of the cliff as far as the Niagara Falls and Clifton suspension bridge.

(8) For the purposes of construction the company shall have the power to construct coffer-dams across both upper and lower ends of the natural channel between Cedar Island and the main land, and to erect a temporary incline from the Falls View station of the Canada Southern Railway to receive supplies and machinery delivered by the said railway and shall deposit excavated material in such places as the commissioners may direct, and at all times to erect and maintain a submerged dam for the purpose of directing water from the river to the aforesaid natural channel.

(9) The commissioners shall not grant or confer upon any other company or person any right to take or use the waters of the Niagara River within the limits of the park so long as this agreement is in force, nor will the commissioners themselves engage in making use of the water to generate electric or pneumatic power except for the purposes of the park, saving always in so far as regards the exceptions contained in paragraph 12 of this agreement.

(10) The company undertake to begin the works hereby licensed to be constructed by them on or before the first of May, 1897 ; and to have proceeded so far with the said works on or before the first of November, 1898, that they will have completed water connections for the development of 25,000 horse power and have actually ready for use, supply and transmission, 10,000 developed horse power by the said last mentioned day.

(11) The company whenever required shall from the electricity or pneumatic power generated under this agreement supply the same in Canada (to the extent of any quantity not less than one-half the quantity generated) at prices not to exceed the prices charged to cities, towns and consumers in the United States at similar distances from the Falls of Niagara for equal amounts of power and for similar uses, and shall whenever required by the Lieutenant-Governor in Council make a return of prices charged for such electricity or power, verified under oath by any chief officer of the company, and if any question or dispute arises involving the non-supply or prices of electricity or power for consumption in Canada the High Court of Justice of Ontario shall have jurisdiction to hear and determine the same and enforce the facilities to be given or the prices to be charged.

(12) The company may agree with the Electric Railway Company for the supply of electricity to work the said railway and also supply electricity for any other purpose within the park.

(13) If the company should at any time or times continuously neglect for the space of one year effectually to generate electricity or pneumatic power as hereby agreed by the company, unless hindered by unavoidable accident, the Lieutenant-Governor in Council may then and from thenceforth declare this agreement, the liberties, licenses, powers and authorities thereby granted and every one of them to be forfeited and thenceforth the same shall cease and determine and be utterly void and of no effect whatever.

(14) All works to be done and executed by the company in order to carry out the rights hereby granted to them and the manner in which the same may from time to time be proposed to be performed or varied, as well as the exercise of powers within the park, shall, before being commenced, be submitted by the company to the commissioners for approval, accompanied by suitable plans, profiles, specifications and elevations, as the case may require, the intention being that the buildings and works shall not detract from the park design and not in any way disfigure the park, of which disfiguring or not the commissioners are to be the sole judges, and shall not be adopted or proceeded with before the approval thereof in writing shall have been given by the commissioners.

And for greater certainty but not so as to restrict the generality of the foregoing terms of this paragraph it is hereby declared that such approval shall be required in the matters following :—

(a) The excavation of the channels to lead the waters of the Niagara from the point or points of intake to the loca-

tion of the power houses, including the precautions necessary in relation to making openings under the railway for the admission of the waters of the river, and including the wheel-pits, tunnels, and portals to discharge the same, and the point of such discharge below the Falls.

(b) The selection of the site on which the buildings and power houses are to be located in accordance with the limits fixed by paragraph 1, and the general design and form of such buildings as suitable to the surroundings of the site selected. (See paragraphs 1 and 3.)

(c) The construction of the conduits whereby the cables, wires, pipes to convey the electricity or pneumatic power to points without the park. (See paragraph 7.)

(d) The construction and position of coffer-dams, incline plane, buildings for temporary use during construction and position of tramways for use during construction and for the removal of excavated or refuse material. (See paragraph 8.)

(e) The change of the rising main of the town of Niagara Falls water supply, and also the operations of the company, are not to interfere with the regular working of the railway or its safety.

(15) The parties hereto shall use their best endeavours to procure, and either party hereto may apply to the present Legislature of Ontario at its present Session for an act of incorporation enabling the parties hereto of the second part, or those who may be associated with them in the undertaking to carry on such works as an incorporated company, with sufficient powers to enable them to raise such capital by bond, debenture, stock, mortgage or otherwise, as may be deemed sufficient to carry out the foregoing contract and to enable them to construct and operate effectively the said works as herein before provided for ; and either party hereto may at the present session of the Legislature apply to said Legislature for an Act to ratify and confirm this agreement.

(16) The rents hereby agreed to be paid are hereby declared to be a first and preferential charge upon the said works, and the company shall not have power to create any lien, charge or incumbrance upon the said works or any of them, by bond, debenture, mortgage or otherwise, which would interfere with or prevent the commissioners from procuring payment of the rent hereby reserved or any part thereof ; and no simple contract creditor or other creditor of the company shall have any claim against the said works or any part thereof in priority of the claim of the commissioners for rent.

(17) Upon the due organization and formation of the corporation intended to be formed as herein before provided, and when this agreement shall have been duly transferred to such corporation and it shall have assumed the same, the said parties of the second part shall thereby be relieved from personal responsibility for the performance of this agreement.

In witness whereof the corporate seal of the commissioners has been hereunto affixed by the chairman, who has also signed the same ; and the parties hereto of the second part have hereunto set their hands and seals the day and year aforesaid.

Signed, sealed and delivered in the presence of James Wilson.	}	C. S. GZOWSKI,	(Seal)
		Chairman.	
		ALBERT D. SHAW.	(Seal)
		FRANCIS LYNDE	
		STETSON.	(Seal)
		WM. B. RANKINE.	(Seal)

CHAPTER 96.

AN ACT TO INCORPORATE THE NIAGARA FALLS PARK AND RIVER RAILWAY COMPANY.

[Assented to 14th April, 1892]

Whereas the Commissioners of the Queen Victoria Niagara Falls Park, acting on their own behalf as well as on behalf and with the approval of the Government of the Province of Ontario, did, on the fourth day of December, 1891, enter into an agreement (fully set out in the schedule B hereto) with Edmund Boyd Osler, Herbert Carlyle Hammond, William Hendrie and Richard Bladworth Angus, in the said agreement described as the company, whereby it was agreed that in consideration of certain matters therein contained the said company would build an electric railway so as to furnish better access to the public property of Ontario at the Falls of Niagara, known as the Queen Victoria Niagara Falls Park proper; and whereas by the said agreement it was provided that the railway to be worked by electricity should pass through the said Park according to plans and specifications to be approved of by the Commissioners, and by the Commissioner of Public Works of the Province of Ontario, and that the right of way through the Park proper should be provided by the Commissioners on the terms in the said agreement specified; and whereas it is desirable that the aforesaid parties in the said agreement described as "the company" be duly incorporated and be empowered by means of an Act of incorporation of the Legislature of Ontario to raise capital to carry out the terms of the said agreement and exercise such other powers as are hereby conferred;

Preamble

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The agreement between the Commissioners for the Queen Victoria Niagara Falls Park and the said Edmund Boyd Osler, Herbert Carlyle Hammond, William Hendrie and Richard Bladworth Angus, dated the fourth day of December, 1891, and as set forth in schedule B hereto, and in this Act hereinafter designated as "the agreement," is hereby approved, ratified, confirmed and declared to be valid and binding on the parties thereto; and each of the parties thereto is hereby authorized and empowered to do whatever is necessary to give effect to the substance and intention of the pro-

Agreement
between Park
Commission-
ers and cor-
poration con-
firmed.

visions of the agreement, and is hereby declared to have and have had power to do all acts necessary to give effect to the same.

Incorporation

2. The said Edmund Boyd Osler, Herbert Carlyle Hammond, William Hendrie and Richard Bladworth Angus, together with all such persons and corporations as shall become shareholders in the company hereby incorporated, shall be and are hereby constituted a body corporate and politic by and in the name of "The Niagara Falls Park and River Railway Company."

Personal liability or corporators

3. Subject to paragraph (1) in the first part of the agreement relating to the personal liabilities and engagements of the individual parties to the agreement, and subject also to the other provisions of the said agreement, the company by this Act incorporated shall have power to acquire upon such terms as may be agreed upon all rights and powers granted by the agreement by the Park Commissioners, and also the benefit of any work that has been done, and any moneys that have been expended in connection with the said electric railway or works prior to the organization of the said company, and the personal liability to the Park Commissioners or others thereunder shall not cease or determine until the works and equipment in paragraph (f) in the first part of the agreement shall have been constructed and ready for operation as in said paragraph provided.

Powers of company

4. The company shall have power and authority—

Location of line

(1) To construct and operate an electric railway from the waters of the Niagara river along the top of the west bank of the Niagara river from some point in the village of Queenston, in the county of Lincoln, to the village of Chippawa, to be known as the High Level Railway from Queenston to the southern end of the Queen Victoria Niagara Falls Park, such electric railway to be laid out, constructed and operated in accordance with the terms provided by the agreement.

Extension

(2) To construct and operate extensions of the said electric railway from Chippawa to Fort Erie, and from Queenston to the town of Niagara, as may be determined.

Hotels

(3) To acquire, own, erect and manage one or more hotels at or near the Niagara Falls and elsewhere near the line of railway, but the powers of expropriation in The Railway Act of Ontario shall not apply to this sub-section.

**Rev. Stat. c. 170,
Wharves, etc.**

(4) To erect wharves, piers, docks, stations, power houses, work-shops and offices, and to purchase lands for any of the company's such purposes, and to sell and convey such portions of any of such lands as may be found superfluous for any

such purpose.

(5) To construct, purchase, charter and navigate steam-^{Steamers and vessels}ers and vessels for the purpose of traffic in connection with said railway, and to establish connections between their wharves, piers and docks and their said railway at such point or points as such connections may be required. The powers of expropriation in The Railway Act of Ontario shall not be exercised by the company in respect of the water frontage in Queenston at present owned by the Niagara Navigation Company to the extent of 325 feet in a southerly direction from the north limit of the wharf of the said company as at present constructed.

(6) To take and hold stock in any navigation or steam-^{Stock in Steamboat Company}boat company.

(7) To take stock in any company or companies formed^{In elevator companies} or to be formed for the construction of elevators, lifts or other works along the Niagara river.

(8) The company shall also have the power to acquire^{In street car companies} the whole or any part of the stock of any street car company heretofore or hereafter incorporated according to the laws of this Province, and which touches or connects with the line or lines of railway hereby authorized, or any of them. The company shall also have power to run its cars on the lines of any street car company, having first obtained permission from such company so to do.

(9) Subject to the recommendation of the Park Com-^{Conduits}missioners, approved by the Lieutenant-Governor in Council, the company shall have the power by expropriation or otherwise to acquire the right to convey electricity required for the working of the railway and lighting the same, over, through or under lands other than the right of way of the railways by this Act authorized to be built, as well as the right of way, and to lay conduits under or erect poles and wires on or over such lands as may be determined by the company, and the rights and liabilities of the company in respect thereof shall be the same as is provided by The Railway Act of Ontario in respect of other lands required for the use of the railway, and also when the right to convey such electricity has been conceded to the company by the parties having a right to make such concession, and along and upon any of the public roads and highways, or across any of the waters in this Province, by the erection of the necessary fixtures, including posts, piers or abutments, for sustaining the cords or wires of such lines, or the conduits for such electricity, provided such works are not so constructed as to incommode the public use of such roads or highways, nor to be a nuisance thereto, or to impede the free access to any house or other building erected in the vicinity of same, or to endanger the same, or injuriously to interrupt the navigation of such waters, and electricity so conveyed shall not be used for any other purpose than to work and light the said rail-

way. The rights hereby conferred upon the company shall not be exercised within the limits of the Queen Victoria Niagara Falls Park without the consent of the Commissioners thereof on the approval of the Lieutenant-Governor in Council.

Certain provisions of Rev. Stat. c. 170 to apply

5. The clauses and provisions of The Railway Act of Ontario and the amendments thereto, except sub-section 18 of section 9, and save as barred, varied or excepted by this Act, including the Act passed in the 53rd year of Her Majesty's reign, and chaptered 45, shall form part of this Act, and the following provisions of the Railway Act as amended shall be excluded in respect of the Park proper, as in the agreement defined, nor be exercisable in relation thereto by the company by this Act incorporated, viz. ;—"Powers," except in so far as the exercise of sub-section 10 and the borrowing powers of the company are of the powers to be exercised over the whole undertaking; "plans and surveys," "lands and their valuation," "mines," "highways and bridges," "fences," except subject to section 6 of this Act, "proceedings where additional space required," "traffic arrangements."

Powers of Lieutenant-Governor in Council

6. The Lieutenant-Governor in Council may from time to time, as may be deemed expedient, amend, change and alter as regards the company any or all of the provisions of section 30 of The Railway Act of Ontario or the sub-sections thereof, and make such amendments, changes or alterations applicable to the whole or any part or parts of the said railway of the said company.

A copy of any such orders in council shall be filed with the clerk of each municipality through which the said railway, or any part thereof, shall be operated. ...

Motive power

7. The railways shall be operated by electric power only, between Queenston and the Whirlpool, the Lieutenant-Governor in Council may permit electric power to be dispensed with temporarily for the use of steam power to be generated by anthracite coal.

Capital stock

8. The capital stock of the said company shall be the sum of \$1,000,000 to be divided into shares of \$100 each, and the money thereby raised shall be applied in the first place to the payment of all fees, expenses and disbursements for the procuring the passing of this Act, and for making the surveys, plans and estimates connected with the railway, and all the rest and remainder of such money shall be applied towards making, completing and maintaining the said railway, and to the other purposes of this Act.

Provisional directors

9. The persons named in the first section of this Act shall be and are hereby constituted a board of provisional

directors of the said company, three of whom shall be a quorum, and shall hold office as such until other directors shall be appointed, under the provisions of this Act, by the shareholders, and shall have power and authority to fill vacancies occurring therein; to associate with themselves therein not more than three other persons, who shall thereupon become and be directors of the company equally with themselves; to open stock books and procure subscriptions for the undertaking; to make calls upon subscribers; to cause surveys and plans to be made and executed; to call a general meeting of the shareholders for the election of directors as hereinafter provided, and generally to do all such other acts as a board of directors under The Railway Act of Ontario may lawfully do.

Rev. Stat. c.
170

10. When and as soon as shares to the amount of \$300,-000 of the capital stock of the company shall have been subscribed, and 25 per centum shall have been paid into a chartered bank of the Dominion, having an office in the Province of Ontario, the provisional directors, or a majority of those present at a meeting duly called for the purpose, shall call a meeting of the subscribers for the purpose of electing directors, giving at least four weeks' notice in the Ontario Gazette, and in one newspaper published in the town of Niagara Falls, of the time, place and object of such meeting, and at such general meeting the shareholders present, either in person or by proxy, who shall at the opening of such meeting have paid ten per centum on the stock subscribed by them, shall elect seven persons to be directors of the said company, in manner and qualified as hereinafter described, which said directors shall constitute a board of directors; and the sum so paid shall not be withdrawn from the bank except for the purposes of this Act.

First annual
meeting

11. Thereafter the general annual meeting of the shareholders of the said company shall be held in the city of Toronto or elsewhere, as the directors may deem most convenient, on such days and hours as may be directed by the by-laws of the said company, and public notice thereof shall be given at least four weeks previously in the Ontario Gazette, and once a week for the same period in some newspaper published in the said town, and in each of the counties from which a bonus may have been received.

Annual meet-
ings

12. A majority of the directors shall form a quorum for the transaction of business, and the said board of directors may employ one or more of their number as paid director or directors; provided, however, that no person shall be elected a director unless he shall be the holder and owner of at least ten shares of the stock of the said company, and shall have paid up all calls upon the stock.

Quorum of
directors and
appointment
of paid
director

Power of
directors to
exclude per-
sons from sub-
scribing for
stock

13. The provisional or elected directors of the company may in their discretion exclude anyone from subscribing for stock in the said company, or may before allotment cancel the subscription and return the deposit of any person if they are of the opinion that such person would hinder, delay or prevent the company from proceeding with and completing their undertaking under the provisions of this Act, or that such person's membership is for other reasons undesirable; and if at any time more than the whole stock shall have been subscribed the said board of directors shall allocate or apportion it amongst the subscribers as they shall deem most advantageous and conducive to the furtherance of the undertaking.

Allotment of
stock

14. It shall be lawful for the directors in procuring subscriptions for stock to allot such stock in such amounts and subject to the payment of such calls of such amount and at such time and at such discount as they may think fit, or they may agree for the sale of such stock, or any part thereof, at such price as they may think fit, and may stipulate for the payment of the purchase money at the time of subscription or by instalments, and the amount of every such instalment, as, and when payable, shall be deemed to be money due in respect of a call made in accordance with the provisions contained in section 35 of The Railway Act of Ontario, and non-payment of any such instalment shall carry with it all the rights, incidents and consequences, as mentioned in the said Act, as in the case of a call due by a shareholder on a share.

Rev. Stat. c.
170

Power to
make certain
payments in
stock

15. The said directors may pay, or agree to pay, in paid up stock, or in the bonds of the company, such sums as they may deem expedient to engineers or contractors, or for right of way, or material or plant, or rolling stock, buildings or lands, and also subject to the sanction of a vote of the shareholders, for the services of the promoters or other persons who may be employed by the directors for the purpose of assisting the directors in the furtherance of the undertaking, or purchase of the right of way, or material, plant or rolling stock, whether such promoters or other persons be provisional or elected directors or not, and any agreement so made shall be binding on the company.

Exemption
from taxation

16. It shall be lawful for the corporation of any municipality, through any part of which the railways of the said company pass or are situate, by by-laws specially passed for that purpose, to exempt the said company and its property within such municipality, either in whole or in part, from municipal assessment or taxation, or to agree to a certain sum per annum, or otherwise, in gross or by way of commutation or composition for payment, or in lieu of all or any municipal rates or assessments to be imposed by such municipal corporation, and for such term of years as to such municipal corporation may seem expedient, not exceeding twenty-

one years, and any such by-law shall not be repealed unless in conformity with a condition contained therein.

17. The said company shall have power and authority to become parties to promissory notes and bills of exchange for sums not less than one hundred dollars, and any such promissory note made or endorsed by the president or vice-president of the company, and countersigned by the secretary and treasurer of the said company, and under the general or special authority of a majority of a quorum of the directors, shall be binding on the said company; and every such promissory note or bill of exchange so made shall be presumed to have been made with proper authority until the contrary be shown, and in no case shall it be necessary to have the seal of the said company affixed to such promissory note or bill of exchange; nor shall the president or vice-president, or the secretary and treasurer, be individually responsible for the same, unless the said promissory notes or bills of exchange have been issued without the sanction and authority, either general or special, of the board of directors, as herein provided and enacted; provided, however that nothing in this section shall be construed to authorize the said company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Power to become parties to promissory notes, etc.

18. The directors of the said company shall have power to issue bonds of the company for the purpose of raising money for prosecuting the said undertaking, the whole amount of the issue of such bonds not to exceed in all the sum of \$45,000 for each mile of the said railway and the actual cash value of the wharves, piers, docks, steamers, vessels and other water craft, incline railways, elevators and hotels of the company and the equipment thereof respectively; but such bonds shall be limited as a charge so as not to interfere with the terms of section 26 of this agreement; and the amount of compensation under section 26 for the railway, its equipment, machinery and works between Queenston and Chippawa shall not include the value of hotels, vessels, steamboats, nor the value of any other equipment or works than such as may be incidental to the use of electric power, nor any excess of the value of the class of work prescribed by the plans and specifications which shall have been approved by the Commissioner of Public Works, nor stocks in navigating companies, or in companies building or operating elevators or incline railways, nor the cost or value of elevators or inclined railways, except the elevators or inclined railways expressly authorized to be built or acquired under the agreement, nor of any other works not expressly and specifically provided for by the said agreement set forth in the schedule hereto.

Issue of bonds

19. The said company hereby incorporated may from

Power to mortgage bonds

time to time, for advances of money to be made thereon, mortgage or pledge any bonds which they can under the powers of this Act issue for construction of the said railway or otherwise, subject to the provisions of the preceding section contained.

**Rights of
aliens**

20. All shareholders in the said company, whether British subjects or aliens, or residents of Canada or elsewhere, have and shall have equal rights to hold stock in the said company, and to vote on the same, and to be eligible to office in the said company.

**Plans to be
subject to ap-
proval of Com-
missioner of
Public Works**

21. Before proceeding with the construction of the said railways, plans and maps showing the location thereof, with profile, cross sections and specifications, and determining and including the width of right of way, where not already expressly provided and specified in the agreement, shall be submitted to and approved by the Commissioner of Public Works; and the said company shall also submit in detail to the Commissioner of Public Works plans and drawings of the carriages or coaches proposed to be used for passenger traffic for his approval, and the same shall be approved of by him before the said carriages or coaches shall be used upon the said railways, and before proceeding with any changes or expansions in the plans and specifications affecting the system of the renewal of the construction of the said railways and the building of the said carriages or coaches such changes, expansions or renewals shall be subject from time to time to the inspection, direction and approval of the Commissioner of Public Works on such terms as he may require of the company, and copies of all such railways, plans, with cross-sections and specifications, shall be deposited in the Department of Public Works for Ontario.

**Erection of
telephone and
telegraph
wires and
electric works**

22. For the purpose of operating and lighting the said railway the company shall have power to erect poles or make conduits for wires, and to construct and maintain telegraph or telephone lines along the lines of railway, and connect the same with their offices, stations and other works, and for any such purposes shall have all the powers conferred upon telegraph companies by chapter 158 of the Revised Statutes of Ontario, 1887, and may take tolls or fees for the use of the telegraph or telephone lines by the public.

**Transfer of
stock**

23. Shares in the capital stock of the company may be transferred by any form of instrument in writing, but no transfer shall become effectual unless the stock or scrip certificates issued in respect to shares intended to be transferred are surrendered to the company, or the surrender thereof dispensed with by the company.

**Regulations
as to transfer
of shares**

24. The directors may from time to time make such regulations as they shall think fit for facilitating the transfer

and registration of shares of stock, and the forms in respect thereof, as well in this Province as elsewhere, and as to the closing of the register of transfers for the purpose of dividends, as they shall find expedient, and all such regulations, not being inconsistent with the provisions of this Act, and of The Railway Act of Ontario, as altered or modified by this Act, shall be valid and binding.

Rev. Stat.
c. 170

25. Conveyances of land to the said company for the purpose of and powers given by this Act, made in the form set out in the schedule "A" hereunder written, or to the like effect, shall be sufficient conveyance to the said company, their successors and assigns, of the estate and interest, and sufficient bar of dower respectively of all persons executing the same; and such conveyance shall be registered in the same manner, and upon such proof of execution as is required under the registry laws of Ontario; and no registrar shall be entitled to demand more than seventy-five cents for registering the same, including all entries and certificates thereof, and the certificates endorsed on the duplicates thereof.

Form of
conveyances

26. Whenever it shall be necessary for the purpose of procuring sufficient lands for stations or gravel pits, or for constructing, maintaining and using the said railways, and in case, by purchasing the whole of any lot or parcel of land over which the railways are to run, the company can obtain the same at a more reasonable price, or to greater advantage than by purchasing the railway line only, the company may purchase, hold, use and enjoy such lands, and also the right of way thereto, if the same be separated from their railway, and may sell and convey the same, or any part thereof, from time to time as they may deem expedient; but the compulsory clauses of The Railway Act of Ontario shall not apply to this section, nor shall the same apply to the Park proper.

Power to purchase whole
lots in certain
cases

Rev. Stat.
c. 170

27. The construction of that portion of the said railway lying between Queenston and Chippawa, and on the high level, shall be completed in accordance with section 15 of the agreement, unless extended by the Lieutenant-Governor in Council, and shall be duly operated during the existence of the said agreement, and subject to the terms thereof, and the construction of the said railway between Niagara and Queenston and between Chippawa and Fort Erie shall be commenced within five years, and be completed within seven years, after the passing of this Act.

Commence-
ment and com-
pletion of
railway

28. In respect of the low level railway mentioned in section 20 of the agreement, and the terms and conditions on which the same may be built and operated as in the agreement is provided, the Lieutenant-Governor in Council, in the event of the company in the agreement mentioned, or the company hereby incorporated, if it shall have duly acquired

Construction
of low level
railway

the rights of the company in the agreement mentioned, in pursuance of the powers contained in section 3 of this Act, having duly exercised the option given to build and proceed forthwith with the building and operating the low level railway, as in the agreement provided, may extend to the company in the agreement mentioned, or to the company hereby incorporated, the powers in this Act contained in respect of such matters and powers as are by this Act conferred to build and operate the high level railway, subject to the power of revocation by the Lieutenant-Governor in Council of such right to build and operate the said low level railway in the event of the said low level railway not being built and fully equipped for operation in accordance with the agreement and within the period by the agreement required to build the same during the existence of the said agreement and subject to the terms thereof; and in the event of the company in the agreement mentioned, or the company hereby incorporated, if it shall have duly acquired the rights of the company in the agreement mentioned in respect of the said low level railway, declining to build the low level railway as by the said agreement provided, the Lieutenant-Governor in Council may grant to any person or persons individually, or grant to any person or persons a charter of incorporation by letters patent under the Great Seal. All such powers which by this Act may be conferred upon the company in the agreement mentioned, or on the company hereby incorporated, to build and operate the low level railway as in the agreement mentioned in respect of such matters, subject to the due operation of the said low level railway during the existence of the said agreement and subject to the terms thereof, and such further powers as are by this Act conferred upon the company by this Act incorporated, to build and operate the high level railway, together with such rights and powers to raise capital for such purposes as to the Lieutenant-Governor in Council may seem to be expedient and necessary, and such charter of incorporation by letters patent under the Great Seal shall and is hereby declared to be as valid and effectual as an Act of the Legislature of Ontario; provided always that such letters patent shall be laid before the Legislature at the first session ensuing the granting thereof.

SCHEDULE "A."

(Section 25.)

Know all men by these presents, that I (or we) (insert the name or names of the vendor or vendors), in consideration of dollars paid to me (or us), by the Niagara Falls Park and River Railway Company, the receipt whereof is hereby acknowledged, do grant and convey unto the said company, and I (or we) (insert the name or names of any

other party or parties) in consideration of dollars paid to me (or us), by the said company, the receipt whereof is hereby acknowledged, do grant and release all that certain parcel (or those certain parcels), (as the case may be), of land situated (describe the lands,) the same having been selected and laid out by the said company for the purposes of its railway, to hold with the appurtenances unto the said the Niagara Falls Park and River Railway Company, their successors and assigns (here insert any other clauses, covenants or conditions required) and I (or we) the wife (or wives), of the said do hereby bar my (or our) dower in the said lands.

As witness my (or our) hand and seal (or hands and seals), this day of one thousand, eight hundred and .

Signed, sealed and delivered }
in presence of (L. S.)

SCHEDULE "B."

(Section 1.)

This agreement, made this fourth day of December, one thousand eight hundred and ninety-one, between the commissioners for the Queen Victoria Niagara Falls Park, acting herein on their own behalf as well as on behalf and with the approval of the Government of the Province of Ontario, and hereinafter called "the commissioners" of the first part, and Edmund Boyd Osler and Herbert Carlyle Hammond, both of the city of Toronto, in the Province of Ontario, brokers, William Hendrie, of the city of Hamilton in the said Province, contractor, and Richard Bladworth Angus, of the city of Montreal, in the Province of Quebec, gentleman, hereinafter called "the company" of the second part ;

Whereas the company desires to construct and operate an electric railway along the top of the west bank of the Niagara river from the village of Queenston, in the county of Lincoln, to the village of Chippawa, in the county of Welland, and to extend the same as they may deem advisable to the town of Niagara, in the said county of Lincoln, and to the village of Fort Erie, in the said county of Welland, and to establish steamboat connections at the places named, or some of them, and the said railway between Queenston and Chippawa is hereinafter referred to as "the high level railway ;"

And whereas it is the intention of the company to apply to the Legislature of Ontario at its next session for a charter of incorporation to enable them and such others as may be associated with them in the undertaking to construct and

operate the said railway and other works hereinafter referred to, and to execute effectively the engagements entered into herein on their part ;

And whereas the company desire to secure the rights of way to construct their said railway through and in the Queen Victoria Niagara Falls park, which is the property of the commissioners, and through and over other lands of the commissioners, and also through and over lands held or contracted for by the commissioners under contracts with and licenses from the owners thereof respectively, and the commissioners have agreed to provide such rights of way upon the terms and conditions and for the considerations hereinafter expressed and contained or intended so to be ;

And whereas the company desire to secure the option of constructing and operating the "low level railway" as hereinafter defined and also certain privileges in the park and along the Niagara river and its western bank, which option and privileges the commissioners have agreed to give to the company for the time and upon the terms and conditions and for the considerations hereinafter expressed ;

And whereas for convenience and to prevent ambiguity it is agreed and understood by and between the said parties hereto and is hereby declared as follows, that is to say :—

(a) The expression "park proper" wherever it occurs herein shall be understood to mean the Queen Victoria Niagara Falls park south of its original boundary in front of the Clifton house and running easterly to the Niagara river.

(b) The expression "low level railway" wherever it occurs herein shall be understood to mean a line of railway under the cliff which forms the west bank of the Niagara river, and as near to the edge of the waters of the river as circumstances will permit and extending as the commissioners may determine from within that part of the park proper below the bank to the north limit of the lands of the commissioners being the south limit of the military reserve at Queenston or between such intermediate points as the commissioners may determine.

(c) The expression "the company" wherever it occurs herein, shall be understood to mean not only the individuals above named as parties hereto of the second part, but also their and each of their heirs, executors, administrators and assigns and the company to be incorporated as hereinbefore mentioned and its successors and assigns.

(d) The expression "the commissioners" wherever it occurs herein shall be understood to mean not only the parties hereto of the first part but also their successors and assigns and those who for the time being may be the commissioners of the Queen Victoria Niagara Falls park.

(e) In the event of the company failing to secure at the

next session of the Legislature of Ontario such charter as will enable them to carry out effectively the building of "the high level railway" and to acquire the other rights and properties in fulfilment of the objects hereinbefore recited, they will under the authority of the commissioners in so far as the said authority may have effect under the powers vested in the commissioners or otherwise if such powers be sufficient for the purpose and with the resources of the company and as an unincorporated partnership or otherwise build, equip and operate the said high level railway as hereinafter provided and such other works as may be required of the parties of the second part to be by them done or acquired under the terms of this agreement.

(f) The company to be incorporated as aforesaid shall assume all the liabilities and agreements which are assumed and entered into herein by the parties hereto of the second part and their personal liability to the commissioners shall cease and determine when such liabilities and engagements have been assumed by such company, and in the event of the said parties being unable to secure incorporation such personal liabilities and engagements shall cease when the said high level railway shall have been constructed from Queenston to Chippawa and shall be fully equipped and ready for operation, and after that event the said liabilities and engagements including the payment of rent after the first year's payment shall be enforced against the said railway and its appurtenances, including all works to be acquired or built by the company as by this agreement is provided, or against the said incorporated company as the case may be, and not against the parties hereto of the second part, their heirs, executors, administrators or assigns or any of them, except in so far as they may have incurred liability as members of such incorporated company, but they shall nevertheless be personally liable for the cash payment and the first year's rent and for the building and equipping of the said high level railway.

Now therefore this agreement witnesseth as follows, that is to say :—

1. The commissioners do hereby license and permit the company to construct a first class electric railway with single or double tracks as may hereafter be agreed upon between them and the company in and through the park proper from its northern to its southern boundary and on and over the other lands of the commissioners from the northern boundary of the park proper to a point in or near the village of Queenston, and so far as the license of occupation recently obtained by the chairman of the commissioners from the militia department extends, and the commissioners will provide the right of way therefor of the required widths the railway herein referred to being part of the high level railway, and the same shall be in accordance with the provisos, conditions and agreements hereinafter contained.

2. The company shall construct, equip and operate the said railway and shall extend the same to Chippawa creek with sufficient sidings and equipments to meet the development of traffic. It shall not, however, be compulsory upon the company to operate the railway between the first day of December and the first day of March in each year except between the Grand Trunk railway station at the town of Niagara Falls and the upper islands within the park proper.

3. The said railway is to be four feet eight and a half inches gauge and is to be laid with steel rails of not less than forty-five pounds to the lineal yard, fastened with fish plates the formation ballast, bridges and all other structures to be of such material and to be built between Chippawa and Queenston according to plans and specifications to be approved of by the commissioners and by the Commissioner of Public Works of the Province of Ontario.

4. The location of the said railway in the park proper and on that portion of the commissioners' property, known as "the chain reserve" extending from the north boundary of the park proper to the north boundary of the town of Niagara Falls shall be as the commissioners may decide.

5. No sidings are to be laid down in the park proper without the assent of the commissioners, but any sidings which they may determine to be required in the public interest shall be constructed by the company, the right of way the same being provided by the commissioners of a width not exceeding twelve feet.

6. The right of way through the park proper shall be twelve feet for a single track where the railway is built on the surface. In cuttings and embankments the width is not to exceed twelve feet at grade.

7. The railway is to be constructed upon the chain reserve along and on top of the bank of the river north of the park proper so far as it can be conveniently used to reach Queenston, but deviations may be made to avoid large expenditure.

8. For the right of way over the chain reserve north of the park proper in so far as regards the extent of the present and any future interest of the Commissioners therein and the benefit of the contracts already entered into between the commissioners and various land owners for purchase of right of way and for the deviations above mentioned, including the lands by such contracts acquired or thereby intended so to be, the company shall pay to the commissioners the sum of ten thousand dollars, which payment is to be made in cash by the company to the commissioners when they have decided upon the location of the said high level railway and have given their assent to the commencement of the work of construction, and the commissioners shall have no further claim against the company for land damages, or for lands injur-

iously affected by the construction or operation of the railway (unless the same shall not be constructed in accordance with the plans and specifications provided for by paragraph 3 of this agreement) or in respect of any claims for working the said railways or works. Any territory required for deviations or otherwise in addition to the above shall be provided and paid for by the company who in acquiring such other territory and until they receive the requisite rights, powers and franchise by Act of the Legislature of Ontario, may exercise all the rights, powers and franchises possessed by, and if necessary, in the name of the commissioners.

9. At terminal points namely, Queenston and Chippawa, the company shall construct sufficient landing places in the form of wharves to receive steamers. Such structures shall be built on plans to be approved of by the commissioners. At Chippawa terminus the company shall provide sufficient ground for terminal buildings with all necessary accommodation, and also sufficient ground for like terminal and necessary accommodation at Queenston if the land embraced in the license of the militia department be inadequate for the purpose.

10. The company shall not erect any buildings or sheds within the limits of the park proper without special permission from the commissioners, and shall not carry on any work thereon that will in any way disfigure it, of which works, whether disfiguring or not, the commissioners are to be the sole judges. The company are to have the full use of all plans and surveys in possession of the commissioners or made at their instance, but such plans and surveys are not to be taken as the decision of the commissioners in respect of any works herein agreed to be done or which may hereafter be proposed to be done.

11. The company shall have the right to construct and operate inclined railways and elevators at such points north of the Niagara Falls ferry as may be approved of by the commissioners, and the company may use such portions of the chain reserve and thence down to the water as may be required for such construction and operation. The company shall also have the right to acquire and operate such inclined railways and lifts which have already been constructed north of the ferry, together with the machinery and works connected therewith, upon payment in cash to the proprietors or occupiers thereof respectively of the amount that may be fixed by arbitration or by private arrangement or otherwise for obtaining possession from the present occupiers thereof, including costs incurred by the commissioners. The company may exercise and the commissioners do hereby empower the company to exercise such rights and powers as the commissioners possess in respect of the acquisition of such works, and if necessary, the company may do so in the name of the commissioners.

12. The company shall and they do hereby undertake that they will with due diligence and within a reasonable time, and without any delay that is avoidable, and not later than six months from the date hereof, take steps to acquire the rights and properties in the next preceding paragraph mentioned, including the rights now claimed by occupancy or otherwise, and will pay the compensation money therefor so soon as the same has been ascertained, and the costs of the commissioners aforesaid, and on the acquisition thereof; the company shall hold the same under the commissioners free from any claim against the commissioners by or in right of said proprietors or occupiers, which holdings under or attachments to the commissioners shall not make the company liable to pay any rents other than they have herein agreed to pay. If the company shall not have acquired the said rights and properties within two years from the date hereof, the commissioners may acquire the same, and may use them to all intents and purposes as if this agreement had never been entered into, and free from any claim by the company to enjoy the same, or any benefits or rights connected therewith.

13. The commissioners shall not grant or confer upon any other company or person any right to construct and operate any railway or tramway within the limits of the park, or any right to construct and operate lifts or inclined railways north of the Niagara Falls ferry and on any part of the chain reserve, or on the slope between the chain reserve and the river, except as is hereinafter provided in connection with the low level railway, and so long as this agreement is in force the commissioners will not themselves engage in any such construction or operation.

14. The commissioners will assent to an arrangement being made between the company and the municipal corporation of the town of Niagara Falls for the supply to the company of power for working the railway and the machinery necessary to operate and light the railway, and if an arrangement satisfactory to the company cannot be made between the company and the said municipal corporation, the commissioners will grant to the company such necessary rights as will enable them to procure from the waters above the falls the power required for the above purposes.

15. The company do hereby undertake to build the said high level railway between Chippawa creek and Queenston in every respect fit for traffic not later than the first day of September next, and in the event of the company not being able to procure the right of way between the park proper and Chippawa in time to enable them to finish the whole work within that time, the commissioners will give a reasonable extension of time for finishing that section of the work.

16. The company may commence the construction of the said railway whenever the location has been decided upon by the commissioners, and the plans and specifications approv-

ed in accordance with paragraph 3 of this agreement, and the right to operate the same shall begin on the first day of September next, or so soon (before or after that date) as the said railway or any section thereof has been constructed and is ready for operation, and shall extend to a period of forty years from the said first day of September, one thousand eight hundred and ninety-two, and shall be renewable on the request by the company for a further period of twenty years as hereinafter provided.

17. If at the end of the said period of forty years the commissioners shall demand from the company for the further period of twenty years the payment of a greater clear annual sum than the sum hereby and hereinafter agreed to be paid for the said period of forty years, then if the parties hereto cannot agree as to the same, the amount to be paid for such further period, not less than the rents previously paid, shall be ascertained by three arbitrators or a majority of them, one of whom shall be named and appointed by the commissioners, another by the company (the parties hereto of the second part) and the third by the Chief Justice or senior presiding Judge of the provincial court of ultimate appellate jurisdiction for Ontario, and the award of such arbitrators shall be subject to the same provision of law as if the said arbitrators had been appointed by the said parties upon a voluntary reference under the Revised Statute of Ontario respecting Arbitrations and references. Either party to such arbitration may appeal from the award upon any question of law or fact to the said provincial court of ultimate appellate jurisdiction for Ontario and the said court shall have the same jurisdiction therein as a judge has on an appeal from a report or certificate under section 4 of the aforesaid Revised Statute respecting Arbitrations and References.

18. If the company desire to renew for such further period of twenty years, notice of such desire to renew shall be given by the company to the commissioners in writing at least twelve months before the expiration of the forty year period.

19. In addition to all other payments to be made by the company to the commissioners as hereinbefore stated, for right of way and for the privileges hereinbefore mentioned, the company shall pay to the commissioners a clear annual sum of ten thousand dollars by way of rental for each and every year until the termination of the said period or term of forty years, and if the company exercise the option of operating the said railway for the second period they will pay to the commissioners, by way of rental, the sum which may be mutually agreed upon as such rental, or which may be fixed by arbitration as aforesaid. All payments to be made to the commissioners quarterly, and to be calculated from the first day of September, one thousand eight hundred and ninety-two, whether the railway be completed or not. The

rent shall be paid although the company may not by virtue of this agreement be able to exercise the rights and powers to construct and operate the said railway, it being understood that the commissioners do not guarantee the rights, interests and franchises hereby conveyed to the company, and do not covenant for the quiet enjoyment thereof, except as against the acts of the commissioners and their successors, and anyone claiming by, through or under them.

20. The commissioners reserve the right, upon six months notice being given in writing by them to the company, to authorize the company to build and operate the said low level railway, and if at any time within the six months after such notice shall have been given the company declare by notice in writing to the commissioners that they are about to proceed with the work, the company shall build the said low level railway and have the same ready for operation within twelve months after notice hereinbefore mentioned shall have been given by the commissioners to the company. The commissioners shall provide the right of way for such railway, subject to the like terms which the parties hereto have agreed upon in respect of the extent of the interest of the commissioners over the chain reserve for the high level railway. If the notice be to build the railway to any point short of Queenston the company shall nevertheless have the right to extend the same at low level to Queenston, and as far as the lands of the commissioners extend, that is to say, to the south boundary of the military reserve at Queenston, and the company shall have the right to build on such land and to make such connections between the said low level railway and the said high level railway as may be required in the public interest.

21. In the event of the notice to construct such low level railway being given by the commissioners to the company at any date previous to first September, one thousand eight hundred and ninety-seven, the company shall for the privilege of building such railway and for the right of way from the park proper to the south boundary of the said military reserve at Queenston, and for the aforesaid connections pay to the commissioners a further annual rental of seven thousand five hundred dollars in quarterly payments during the whole period of occupation under the terms of this agreement by the company, such rental to begin at the end of twelve months from the time of the giving of the said notice by the commissioners.

22. In the event of the commissioners not giving notice in writing on any date previous to first September, one thousand eight hundred and ninety-seven, that they require the construction of the said low level railway to be proceeded with, and of the company declaring by notice in writing as aforesaid that they are about to proceed with the work, the amount of the annual rent in respect of such low level railway to be paid by the company to the commissioners shall

be determined by arbitration in the manner provided by section 17.

23. In the event of the company declining to build the low level railway, upon either notice hereinbefore provided, the commissioners may grant the power to any other company or persons to build and operate such low level railway. The omission by the company of the giving of the notice in writing, declaring their liability to proceed with the work above provided for shall be deemed conclusive of the refusal by the company of the option to build the said low level railway.

24. In the event of the company exercising the option to construct and operate the said low level railway, the mode of construction and form of road-bed thereof, the class of carriages to be used for the same and all regulations relating to the safety and the use of the railway and its equipments shall be such as the commissioners shall require and approve.

25. The term of years for operating the low level railway shall terminate at the termination of the time hereinbefore provided for operating the said high level railway and shall be subject to renewal, expiration, determination or arbitration in respect of valuation of charge thereon for rent, compensation and liens in favor of bondholders or the company as the case may be in the same manner as is hereinbefore and hereinafter provided in respect of the high level railway, and in the event of the company not constructing the low level railway in pursuance of any notice to be given to the company or option hereinbefore conferred upon the company then the commissioners may confer upon any other company or persons who shall construct and operate the said low level railway as hereinbefore provided, the right to construct elevators at such points as the commissioners may select for the purpose of passenger traffic to and from the low level railway to the top of the cliff, and under such regulations as the commissioners may prescribe, due compensation to be made to the company parties hereto as may be agreed upon in respect of the arrangements and facilities required to transfer such passenger traffic to and from the low level railway to the top of the cliff, and in case of difference, to be ascertained by arbitration as hereinbefore provided by paragraph 17 of this agreement.

26. If at the end of the said period of forty years, the company are unwilling to renew, or at the end of the further period of twenty years, if the company continue to hold for such further period, the company shall be duly compensated by the commissioners for their railways, equipment, machinery and other works including the low level railway, if the same shall have been constructed and then held by the company under this agreement, as also the high level railway from Chippawa to Queenston, and including also their works in Chippawa and Queenston, but not in respect of any franchises for holding or operating the same, such compensation

to be fixed by mutual agreement, or in case of difference, by arbitration as in paragraph 17 of this agreement, but the failure before the expiration of any such term, to fix such compensation in manner aforesaid, or to pay before such expiration, the amount of compensation so fixed, shall not entitle the company to retain possession meanwhile of the said railways, equipment, machinery and works, by this agreement to be constructed or operated, but the same shall nevertheless and notwithstanding that the commissioners may have taken possession thereof remain subject to such liens and charges save as to possession as aforesaid, as may exist in favor of bondholders or debenture-holders of the company, and the company shall retain a lien or charge thereon, save as to possession as aforesaid for the compensation of their railway, equipment, machinery and works to be agreed upon as aforesaid, or so to be awarded to them provided, however, that all such liens and charges shall not exceed the amount that may be agreed upon or may be awarded for such compensation as aforesaid.

27. In respect of all rights and authorities which the commissioners by the agreement, have conferred or have agreed to confer upon the company to exercise in and about the execution of the works to be constructed, and operating or working the same, and of all other matters herein agreed upon, the company will indemnify the commissioners in respect of the exercise of said rights by the company, and will hold them free from liability to any person or persons whomsoever.

28. The rights conferred by this agreement upon the company, and the liabilities undertaken by the company, shall not be construed to be conditional upon the company procuring the Act of incorporation herein provided for.

29. Subject always to the terms and provisions of this agreement, and to the rights of the commissioners as the owners in fee simple of the right of way in the park proper and on the chain reserve, the said railways and their equipment and the other works constructed or required under this agreement, shall upon such construction or acquisition, as the case may be, be vested in and shall be the property of the company who shall, subject as aforesaid, be entitled to operate, manage and control the same during the period or periods respectively above mentioned, it being however hereby declared, understood and agreed, that at the end of the said first or second periods, as the case may be, the whole of the company's said high level railway from Queenston to Chippawa, and the said low level railway, if then held by the company under this agreement, together with their equipment and the machinery and works aforesaid, including the elevators or lifts acquired or built and including also the works in Queenston and Chippawa, shall become the property of the commissioners, subject to the payment of compensation to be agreed upon or awarded as the case may be, and as is

hereinbefore provided for.

30. The parties hereto shall use their best endeavors to procure, and either party hereto may apply to the Legislature of Ontario at its next session, for an Act of incorporation, enabling the parties hereto, of the second part and those who may be associated with them in the undertaking to carry on the said railways and works as an incorporated company with sufficient powers to enable them to raise such capital by bond, debenture, stock, mortgage or otherwise, and as may be deemed sufficient to carry out the foregoing contract, and to enable them to construct and operate effectively, the said railways and steamboats and other works as is hereinbefore provided for, and either party hereto may at the next session of the said Legislature or otherwise apply to the said Legislature for an Act to ratify and confirm this agreement.

31. The rents hereby agreed to be paid are hereby declared to be a first and preferential charge upon the said railways and works and the company shall not create any lien, charge or incumbrance upon the said railways or works or any of them by bond, debenture, mortgage or otherwise, which will interfere with or prevent the commissioners from procuring payment of the rent hereby reserved or any part thereof and no simple contract creditor or other creditor of the company is to have any claim against the said railway or works or any part thereof in priority to the claim of the commissioners for rent.

32. The company's tariff for passenger fares shall be a reasonable one and shall be subject to the approval of the commissioners, provided however that the commissioners shall not have the right to insist upon such a tariff as will prevent the company operating the said railway or railways at a fair profit but it shall be their privilege to exact from the company the imposition of reasonable rates only.

In witness whereof the corporate seal of the commissioners has been hereunto affixed by their chairman who has also signed the same, and the parties hereto of the second part

have hereunto set their hands and seals the day and year aforesaid.

Signed, sealed and delivered by the chairman of the commissioners in the presence of

C. S. Gzowski, Jr., (Seal).

C. S. Gzowski,
Chairman.

and by the said Edmund Boyd Osler, Herbert Carlyle Hammond and William Hendrie in the presence of (Seal).

E. B. Osler,
per H. C. Hammond,
Attorney.

R. A. Smith, (Seal).

H. C. Hammond,

and by the said Richard Bladworth Angus in the presence of (Seal).

Wm. Hendrie,

A. R. G. Heward, (Seal).

R. B. Angus,

Montreal.
and by the said Edmund Boyd Osler personally as well as through his attorney Herbert C. Hammond in presence of (Seal).

Ed'd B. Osler.

R. A. Smith.

COPY OF AN ORDER IN COUNCIL, APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR, THE 25TH DAY
OF JUNE, A. D., 1892.

Upon the recommendation of the Honourable the Attorney-General, the Committee of Council advise that pursuant to the provisions of section 9, cap. 13, 50 Vic., the resolution of the Queen Victoria Niagara Falls Park Commissioners doing away with the toll of ten cents now exacted from each pedestrian for crossing the bridges connecting the islands, and use of artificial walks on islands to view rapids, and directing that for the present the tolls on carriages be retained, be approved of by Your Honour.

Certified,

J. LONSDALE CAPREOL,

Asst. Clerk Executive Council.

SEVENTH ANNUAL REPORT
OF THE
COMMISSIONERS
FOR THE
Queen Victoria Niagara Falls Park

To the Honourable George Airey Kirkpatrick,

Lieutenant-Governor of the Province of Ontario.

May it please your Honor :

The Commissioners of Queen Victoria Niagara Falls Park beg to submit their report for the year ended 31st December, 1892, being their Seventh Annual Report.

In their last report the Commissioners gave a summary of the negotiations had with certain capitalists for the disposal of the franchise to construct and operate an electric railway along the banks of the Niagara River between Chippawa and Queenston, and submitted the agreement entered into with the Niagara Falls Park and River Railway Company as the result of these negotiations. The location of the railway through the Park and along the chain reserve was fixed by the Commissioners, and also the site of the power house and the various sidings with all other works requiring their assent. The construction has been carried on with considerable energy and the road bed and bridges are all of the most substantial character. It is expected that the railway will be ready to operate by the 1st of June, or very shortly after that date. The Commissioners learn that a steamer to connect with the railway at Queenston for Toronto is now in course of construction, which in point of capacity, appointments and speed, is expected to be the equal of the best on the Northern lakes. The Commissioners have good reasons to believe that when the electric railway and its connections are in active operation the great object of granting the franchise, as stated in their last report, will be accomplished, viz. : to largely increase the number of visitors and to bring into greater prominence the Canadian Park and its historic environment, not only at the Falls but all along the banks of the Niagara River on the Canadian side.

The option, which had been granted to certain English capitalists, for the right to use the waters of the Niagara River certain limits for generating electricity for various purposes beyond the confines of the park, expired on the 1st of March last, without being taken up by the original holders of the option. Their representatives in this country, however, formed a connection with American capitalists largely interested in electrical schemes of a commercial character, and a company was formed to take over the rights and privileges for which the option

had been given. An agreement was entered into between the Commissioners and the company, of which the following is a copy :

See page 128 for text of agreement.

The foregoing agreement was approved by the Legislature and an Act was passed to give effect to its provisions and for the formation of a joint stock company known as The Canadian Niagara Power Company.

Owing to the want of funds no works have been undertaken during the year, and the expenditures in connection with the ordinary staff have been confined to keeping the roads, paths, bridges and the grounds generally in as good condition as the limited means at the disposal of the Commissioners will admit of.

The number of visitors to the park during the year shows a considerable falling off, viz., 255,495 as compared with 272,485 in 1891. Full particulars as to the number entering the gates for each month of the year will be found in the tabulated statement attached to the report of the superintendent of the park ; from which it will be seen that 36,514 carriages entered the park, containing 109,412 visitors, and 124,083 pedestrians.

In view of the very small amount of revenue derived from the tolls charged pedestrians who visited the island, the Commissioners decided to abolish the tolls in question. The government approved of the recommendation in this behalf and since July the entire park grounds have been free to all pedestrians.

The receipts and expenditures for the year ended 31st December, 1891, are exhibited in the following summaries, the details of which will be found in the statements attached to the superintendent's report :

Receipts.

Received from sales of old materials, rents, etc.	\$ 1,485 75
“ hydraulic lift tolls	\$3,205 41
“ island bridge tolls	1,922 95
	<hr/> 5,128 36
“ Imperial Bank, interest on deposits...	521 02
“ ... Osler Syndicate, 3 months' rental on account of electric railway	2,500 00
“ Canadian Niagara Power Company ...	35,000 00
“ Imperial Bank of Canada, overdraft..	15,673 79
	<hr/> \$60,309 52

Expenditures.

Imperial Bank, overdraft in 1891, including interest thereon	\$14,040 74
Salaries, and wages, including laborers' wages	11,976 58
Paid for materials and supplies.....	3,062 35
“ lands for electric railway right of away	4,239 00
“ Commissioners' expenses	240 56
“ Coupon int. on bonds, 1892	\$21,000 00
“ interest on advances, etc.	883 63
	21,883 63
“ Colonel Shaw, refund of railway deposit	4,866 66
	\$60,309 52

In the appendix will be found the report of the superintendent and the financial and statistical tables usually attached.
All of which is respectfully submitted.

C. S. GZOWSKI,
Chairman.
J. W. LANGMUIR,
JOHN A. ORCHARD,
Commissioners.

Appendix.

REPORT OF THE PARK SUPERINTENDENT FOR 1892.

To the Commissioners of the Queen Victoria Niagara Falls Park :

Gentlemen,—I beg to submit my report for the year ending 31st December, 1892.

The past year, like those which have preceded it since the establishment of the park, has been characterized by an urgent necessity for the strictest economy in the expenditure of money, and the much needed works of reclamation, improvement and planting which have been annually referred to in my reports, and which we hoped to be able to begin in 1892, had again to be postponed, and only the most needy works of maintenance, or such matters as could not very well be put off, were undertaken. It is perhaps a matter for regret that so many years are allowed to pass without energetic measures being taken to carry out, on a comprehensive scale, the various improvements which have been in contemplation since the setting apart of this property for the purposes of a public park ; the conditions of soil and climate are most favorable for the growth and full development of all kinds of trees and shrubs, and the extent and situation of the property certainly demands at least generous treatment.

Electric Railway.

The construction of the electric railway through the park and extending to Queenston and Chippawa, under the terms of the franchise granted to E. B. Osler and others in December, 1891, was early begun, and the work carried on throughout the season. By the end of the year the rails had been laid from Queenston to Chippawa, and about one-half of the line ballasted and put into shape. The work of completing the ballasting, etc., on the remaining portion of the line will be carried on during the winter, so as to have the road-bed thoroughly prepared against the opening of the season of 1893. The extensive works in connection with the development of water power to generate electricity were not begun until midsummer, and have not yet been completed. It is expected these works will all be in a forward state by the time spring opens, and be finished in ample time for the opening of the line in May next.

The foundations of the power house have been brought up to the level of the ground only.

Some of the poles for the wiring of the line are on hand, but nothing has as yet been done on the ground towards the electrical equipment of the road.

The carrying out of the various works of construction in connection with the electric railway necessarily did much to mar the appearance of the park for the time being, as the line is located, generally, along the line of travel from end to end of the property ; especially was this the case during the busy season, and the park revenues suffered considerably in consequence. To enable the hydraulic tunnel work to be gone on with, the flow of water over a considerable portion of the fall, near Table Rock, was shut off by means of a dam. This left the face of the cliff exposed for a considerable distance from the mouth of our tun-

nel through which visitors pass to get views of the "Sheet of Water." It also prevented the near approach in front of the fall to the great mass of falling water, which is certainly the chief feature of a trip. "Under the Falls."

As soon as the ice goes away the natural flow of water over the fall will be restored, as by that time all work in connection with the hydraulic tunnel will have been completed and the trimming and sodding of embankments and cuttings, the construction of paths where encroached upon by the railway, and grading and levelling around the power house, will tend largely towards removing these objectionable features; and leave the premises in good condition for the increased travel of 1893.

All the work done in connection with the electric railway has been of the most substantial and permanent character, and with good overhead construction, and rolling stock equipment, the road will most certainly be a very attractive feature to all visitors to the park.

Roads.

Notwithstanding the large amount of heavy teaming over the whole length of the park driveway, necessitated by the railway works, the roadway was maintained in good order. Good clean sifted gravel was put on the worn portions, and the road kept well watered and scraped.

On the Dufferin Islands, where the line of the electric railway crosses the main driveway, the high railway embankment required the raising up of the road on either side several feet. This work has been left in an unfinished condition and will have to be set right as soon as the frost is out of the ground.

Owing to the crowded state of the driveway between the Mowat Gate and Table Rock House, at certain seasons of the year, it would be a desirable improvement to widen out this portion of the road so as to allow of three carriages passing abreast, as it often happens that one may be moving slowly while others are hurried, and there is sometimes a temptation to drive over on the sod if unobserved. Should the opening of the electric railway not afford a measure of relief, by diminishing the number of carriages on excursion days, this work would require to be taken in hand during the coming season, as there is every reason to apprehend a very large stream of travel in 1893, and any tendency to crowding will be much more apparent than at other times.

Paths.

The main pathway along the edge of the cliff from the entrance at the Clifton House up to the Falls was thoroughly overhauled and widened out to nine feet; and the iron railing which protects the cliff side of the walk was in several places straightened out and made to conform to the level of the roadway adjacent.

At several places south of the Falls the railway encroached upon the pathway, and a new one will have to be provided at such points when the spring opens.

Bridges.

The work of repairing the Suspension Bridges, which was commenced late in the autumn of 1891, was completed early in the spring, and one of the bridges properly painted. The western abutment of the bridge at Clark Hill was practically renewed by the building of a sub-

stantial revetment in front of it. Repairs to the Cedar Island bridges were of necessity put off for a year.

Owing to the continual lowering of the level of the water in the river, the breach extending from the "gap" down to the foot of Cedar Island has in a large measure lost its attractiveness, a portion of the stony bed being continually exposed to view, and the remainder so shallow in parts as to be readily forded at all seasons of the year. Advantage was therefore taken of the material excavated from the site of the power house and intake of the railway to fill up the channel opening along the line of the lower bridge, so as to change the stream into a pond with an overflow only, provision being made of course to empty the pond when desired. By so doing the level of the water can be raised considerably in the lower end of the pond, and the scenic effect much improved, with the additional advantage of a saving in the maintenance from year to year of a perishable structure. The pond may be used in winter time as an open air skating rink, and in summer as a boating place. A rustic bridge of neat design was thrown across the little stream which separates Sumach Island from the mainland at "Tempest Point."

Shelters and Seats.

A substantial rustic shelter, of pretty design, was built at "Rambler's Rest," the first stopping place for carriages after entering the park. The structure is entirely of cedar and elm bark with wild vines for ornamentation, and its appearance is much admired.

A similar structure is much needed at "Inspiration Point," and smaller ones at various places where visitors always stop to enjoy the views.

A plain rustic shelter was also put up at the cascade on Dufferin Islands, where many picnic parties usually resort. The rustic benches were repaired from time to time, and two dozen new ones added to our stock. Many more are required before we can hope to afford our visitors proper facilities in this way.

Buildings.

Practically nothing has been done towards the repair of the several buildings in the park. Table Rock House and the old Museum building are certainly in need of immediate attention if they are to be preserved, and a large outlay will have to be made to put them in proper repair. These buildings are too large for park purposes, and in design are out of harmony with their surroundings.

Visitors.

The total number of visitors to the park in 1892 was 233,495. This number is considerably less than the return for 1891, which gave a total of 272,485. The falling off occurred in the latter half of the year, and was exclusively confined to the carriage travel, as the number of pedestrians recorded shows an increase of nearly twenty-four per cent. and the carriage travel a decrease of over thirty-six per cent.

A tabulated statement of the number of visitors entering the gates for each month of the year, together with the revenue from visitors, etc., will be found appended.

Many large excursions came to the park in July and August, and they all appeared to enjoy their visit thoroughly.

Hot water in abundance was, as usual, provided free of cost, and

lunch tables and benches arranged in the picnic grounds under shade, and in full view of the Falls.

Flora of the Park.

The collection of the flora found within the park, which was referred to in last year's report, has been considerably changed, and now numbers fully nine hundred distinct specimens, many of them exceedingly rare. These have all been carefully mounted and labelled, and will be catalogued for ready reference. The collection is not yet complete, but it is already attracting wide attention owing to the exceptional quantity and quality of the exhibits.

Minerals of Ontario.

The collection of the minerals of Ontario, which has been on exhibition in the Museum building for some time, has been sent to Chicago for exhibition at the World's Fair.

No trouble has been experienced in maintaining good order throughout the year, notwithstanding the very large numbers frequently present.

The whole respectfully submitted,

JAMES WILSON,

Superintendent.

Niagara Falls, January, 1893.

QUEEN VICTORIA NIAGARA FALLS PARK.

Statement showing the number of visitors and the money received at the Park for the year 1892.

Months, 1892	Number of carriages entering the park		Number of Visitors		Receipts from Visitors				Average per visi- tor in cents	Sundry Receipts				Total Receipt
	In carriages	Pedestri- ans	Total	At Elevator	At Islands	Total		Electric Railway		Sundry sales, rents etc.	Interest on bank de- posits			
						\$	c.				\$	c.	\$	
January	1,221	3,801	1,965	5,766	64 75	10 25	75 00	1 30		96 50	.....		171 50
February	1,182	3,182	2,029	5,211	77 75	19 90	97 65	1 87		90 50	.....		188 15
March	946	2,257	2,665	4,922	82 25	9 45	91 70	1 67		90 50	.....		182 20
April	1,400	3,869	4,493	7,862	134 00	44 65	178 65	2 28		130 00	.....		308 65
May	2,317	5,800	7,998	13,798	264 00	164 55	428 55	3 10		130 00	.....		714 60
June	4,746	15,176	14,613	29,789	482 75	293 50	776 25	2 60		130 00	.....		906 25
July	7,281	25,765	24,268	50,033	710 41	412 95	1,123 36	2 24		180 25	.....		1,303 61
August	7,399	22,517	31,594	54,111	637 50	468 00	1,105 50	2 04		130 00	.....		1,235 50
September	4,653	13,444	14,444	27,888	411 75	281 45	693 20	2 48		131 00	.....		824 20
October	2,969	8,357	8,822	17,179	211 75	168 25	380 00	2 24		125 00	.....		505 00
November	1,301	3,121	6,094	9,215	85 75	42 75	128 50	1 40		125 00	.....		457 02
December	1,099	2,623	5,098	7,721	42 75	7 25	50 00	64	2,500 00	125 00	.....		2,675 00
Total	36,514	109,412	124,083	233,495	3,205 41	1,922 95	5,128 36	2 11	2,500 00	1,483 75	359 57		9,471 68	

QUEEN VICTORIA NIAGARA FALLS PARK.

Report on the Chain Reserve Along the Niagara River, by James Wilson, C. E., Superintendent.

J. W. Langmuir, Esq., Chairman of the Park Commission :—
Sir :—

Acting under your instructions I have made an examination of the Chain Reserve along the west bank of the Niagara river, through the townships of Bertie, Willoughby, Stamford and Niagara, and beg to make the following report thereon :

This property was vested in the Commissioners by the Government of Ontario, under the authority of the Legislature, by the following acts, viz. :—

A. Order in Council, approved on the 15th day of July, 1887.

B. Grant under the Great Seal of the Province, dated the 26th April, 1888.

C. Grant under the Great Seal, dated on the 26th day of October, 1891.

For convenient reference the full text of these documents is embodied herein.

“A.”

Copy of an Order in Council, approved by His Honor the Lieutenant-Governor, the 15th day of July, 1887 :

“The Committee of Council have the honor to report for the information of Your Honor, that by the ‘Queen Victoria Niagara Falls Park Act, 1887,’ it was provided that the Lieutenant-Governor in Council may vest in the Commissioners, to be held for the purposes of the Park, any part or portions of the Crown lands, the property of Ontario, lying along the bank of the Niagara river, and not included in the original survey of lands laid out in the townships of Stamford and Niagara, and that the Commissioners have applied for a grant to be made to them accordingly of the following Crown lands, the property of Ontario, viz. :

“The land beginning at the north boundary of the Park, opposite the Clifton House, and lying in front of lots numbers 129, 128, 111, 110 and 93, in the township of Stamford, subject to the Military Reservation of one chain in width on the edge of the cliff.

“Also, the land in the said township, lying in front of lots 92, 75 and broken front of 74, and broken front of 59, and the land in the front of numbers 41, 40, 21, 20 and 1, and the land lying between number 1 and the township of Niagara, known as the gore or cross concession in Stamford.

“Also the land in front of lots 1, 2 and part of 3, fronting on the Niagara river, in the township of Niagara, as far down as Queenston.

“The Committee recommend that Your Honor do vest the said lands in the said Commissioners, as prayed, to be held for the purposes of the said Park, and subject to the condition that compensation shall be made to any persons legally or equitably entitled thereto, in respect of any of the lands so vested.”

Certified.

(Signed) J. LONSDALE CAPREOL,

Asst. Clerk Executive Council.

Copy of a Grant under the Great Seal of the Province of Ontario, dated 26th day of April, 1888 :

(Signed) A. CAMPBELL, Province of Ontario.

“Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

“To all to whom these presents shall come :—

“Greeting :—

“Know ye that we, of our special grace, certain knowledge and mere motion, have given and granted, and by these presents do give and grant unto the Commissioners for the Queen Victoria Niagara Falls Park, in fee simple, all those parcels or tracts of lands situate in the township of Stamford, in the county of Welland, and in the township of Niagara, in the county of Lincoln, in our said Province, being composed of all those pieces or strips of land which lie along the bank of the Niagara river, in the township of Stamford and county of Welland, between the lots hereinafter mentioned and the river :

“Beginning at the north boundary of the Park, opposite the Clifton House, and lying in front of lots number one hundred and twenty-nine, and broken front of one hundred and twenty-nine and number one hundred and twenty-eight, one hundred and eleven, one hundred and ten, ninety-three, ninety-two, seventy-five, broken front of seventy-four, broken front of fifty-nine, number fifty-eight, broken front of fifty-eight, broken front in front of number forty-one, numbers forty-two, twenty-one, twenty and one of the said township of Stamford, and the cross concession or gore in Stamford, and those pieces or strips of land which lie along the bank of the river Niagara, in the township of Niagara, in the county of Lincoln, in front of surveyed lands in front of lots numbers one, two and three of the said township, as far as the Town of Queenston.

“Given under the Great Seal of our Province of Ontario. Witness the Honorable Sir Alexander Campbell, Knight Commander of Our Most Distinguished Order of St. Michael and St. George, a member of our Privy Council of Canada, Lieutenant-Governor of our said Province of Ontario.

“At Toronto, this twenty-sixth day of April, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-first year of our reign.

“By command of our Lieutenant-Governor in Council.

(Sgd.) ARTHUR S. HARDY, (Sgd.) AUBREY WHITE,
Secretary. Asst. Commissioner Crown Lands.

“C.”

Copy of a Grant under the Great Seal of Ontario, dated the 26th day of October, 1891.

A. CAMPBELL, Province of Ontario.

“Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

“To all to whom these presents shall come :—

“Greeting :—

“Know ye that we, of our special grace, certain knowledge and mere motion, have given and granted, and by these presents do give

“and grant unto the Commissioners of the Queen Victoria Niagara
 “Parks Park, all those parcels of land in the townships of Bertie and
 “Willoughby, in the county of Welland, and in the township of Niag-
 “ara, in the county of Lincoln.

“First.—Being composed of all those pieces or strips of land which
 “lie along the bank of the Niagara river, situate in the townships of
 “Bertie and Willoughby, and county of Welland, in the Province of On-
 “tario, being composed of those portions of land fronting on the Niag-
 “ara river, and extending from the Garrison road in the village of Fort
 “Erie to and including lot number twenty-two, in the second concess-
 “ion of the township of Willoughby, lying between those portions of
 “lots heretofore granted by Letters Patent from the Crown and the
 “water’s edge of the river Niagara.

“Second—All those pieces or strips of land which lie along the bank
 “of the Niagara river and county of Lincoln, in said Province of Ont-
 “ario, being composed of those portions of land fronting on the river
 “Niagara, commencing at the intersection of the northerly angle of the
 “Military Reservation at Queenston, on lot number five, broken front
 “concession, in the township of Niagara, with a point within one chain
 “of the waters of the Niagara river, as referred to in the Letters Pat-
 “ent to Elijah Phelps, bearing date the first day of July, in the year
 “of our Lord one thousand seven hundred and ninety-nine, to and in-
 “cluding a certain tract above Navy Hall, patented to William Mc-
 “Clellan on the tenth day of June, in the year of our Lord one thou-
 “sand eight hundred and one, lying between those portions of the lots
 “heretofore granted by Letters Patent from the Crown and the water’s
 “edge of the Niagara river.

“Given under the Great Seal of our Province of Ontario. Witness,
 “the Honorable Sir Alexander Campbell, Knight Commander of our
 “most distinguished Order of St. Michael and St. George, a member of
 “our Privy Council of Canada, Lieutenant-Governor of our said Prov-
 “ince of Ontario.

“By command of the Lieutenant-Governor in Council.

(Sgd.) J. M. GIBSON, (Sgd.) ARTHUR S. HARDY,
 Secretary. Commissioner of Crown Lands.

The Chain Reserve referred to in these several documents consists of
 a strip of land one chain in width, which was, with some exceptions,
 reserved in all the patents issued by the Crown for lands fronting on
 the Niagara river, and was, doubtless, intended originally for a con-
 venient roadway or portage to the broken water travel from Lake On-
 tario to Lake Erie, and also to form a suitable and direct means of
 communication between the various Military Reserves along the river,
 including Fort Erie, Chippawa, Queenston and Niagara. In fact such
 a roadway exists along the water’s edge in front of Bertie and Wil-
 loughby townships, or from Fort Erie down to Chippawa.

In Stamford township the reserve was made along the edge of the
 river down to the brink of the Falls, and below the Falls is described
 as extending from the edge of the cliff, or upper bank of the river, leav-
 ing a talus or slope of considerable width between the chain reserved
 in the patents and the edge of the water.

Along the Chain Reserve proper a roadway has been constructed
 for a considerable distance, chiefly in front of the town of Niagara

Falls ; but with the exception of this reach and of some short pieces within the limits of the Q. V. N. F. Park grounds, there is now no roadway in existence. Early in the century a roadway was made upon the river bank from the old Chippawa Military Reserve northwards for some distance, but it was abandoned many years ago, and the fee simple of the Chain Reserve over this portion disposed of to private parties.

In Niagara township and in the gore of Stamford the Reserve is described in the original patents as "a chain in width from the water's edge," or "from the river." Owing to the height and sloping character of the river bank, this reach is practically useless for the purposes of a roadway.

In the accompanying maps I have indicated by green coloring all the property which has been vested in the Park Commissioners ; and by a reference thereto and also to the enlarged plans of those portions to which I desire to make more particular reference, a good general conception may be had of the character and extent of the territory in question.

Beginning at the southerly limit of township lot 2, in the front concession of Bertie, the patents reserve an unbroken strip, one chain wide, throughout the whole of the township, upon which, as before stated, there is a travelled roadway.

In front of the village of Fort Erie there has been an accretion to the Chain Reserve of considerable extent, doubtless owing in a measure to the railway companies filling in the foreshore for depot purposes. This accretion has evidently caused a good deal of confusion, as both the Dominion and Provincial authorities have exercised jurisdiction and granted title to portions thereof since the confederation of the provinces in 1867.

On reference to plan "A" it will be seen that a large part of this made ground has been disposed of by the Dominion Government to various parties, vide reference numbers 3, 4, 5 and 9, and a lease made the 29th May, 1885, for 21 years, for parcel numbered 6, to the village of Fort Erie, while the Crown has, at various times, disposed of parcels 1, 2, 7, 8 and 10. It will be observed that parcel 8, patented by the Crown in 1865, was included in a sale by the Dominion Government as ordnance property, in 1888. The Erie and Niagara Railway Co., patentees under the Dominion Government, afterwards (23rd May, 1888), secured title to parcel 8 from the patentees under the Crown.

The right of the Dominion Government to deal with this property may well be questioned, especially since the decision of Chancellor Boyd, in the case of the "Park Commissioners vs. Howard."

It is greatly to be regretted that in granting titles to these properties the Dominion Government did not reserve therefrom the extensions of the village streets, so as to afford to the public free and untrammelled access to the waterway at these points. Should it be deemed necessary to grant new titles, under proper authority, instead of the existing ones, I would respectfully suggest that such reservations be made therein.

A short distance down stream from the village of Fort Erie, where the International Bridge crosses the river, there are three properties which have been disposed of by the Crown Lands Department. These are shown on plan "B," and do not call for extended comment. The west abutment of the International Bridge was built upon the original

Chain Reserve, and some filling in done on the river side to pass around it. When the patent for water lot was afterwards issued it does not appear that the railway company was required to fully compensate for the encroachment by grading out a chain in width in front of the abutments.

A water frontage was disposed of in 1861 in front of parts of township lots 8 and 9 of Bertie, comprising 19-10 acres, which is not shown on the plan. An old wharf exists at the spot, which is memorable as being the principal landing place of the Fenian invasion of 1866.

There are two natural gas pipe lines which have been granted a license of occupation upon the Chain Reserve—one being the Provincial Natural Gas and Fuel Co., dated August 31st, 1891, and the other on the same date to Wm. E. Carroll and Sam Carroll. These licenses are during the pleasure of the Crown and each one authorizes the laying of gas pipes in a strip of land five feet in width upon or over the Chain Reserve in front of lots 5, 6, 7, 8, 9, in 1st concession of the township of Bertie.

The above described properties apparently embrace all of the Chain Reserve or of the water frontage thereof within the township of Bertie that has been dealt with or disposed of by the Crown or by the Dominion Government.

In the township of Willoughby, adjoining Bertie on the north, the Chain Reserve does not extend all the way, but is broken at several places, as shown by uncolored spaces on the plan. At these breaks there is no Chain Reserve—patents from the Crown conveying in some cases the land down to the edge of the water.

There is a roadway in existence along the water's edge, even where the land is so deeded, but it cannot be considered as part of the lands vested in the Commissioners. There does not appear to be any transactions on record alienating or otherwise affecting any portions of the lands which were originally reserved in the township of Willoughby.

Throughout almost the whole course of the river in Bertie and Willoughby townships there has been a serious erosion of the shore—chiefly caused by high water during storms scouring away the clay banks of the river. This erosion has been going on from year to year, and at the present time the fences on the westerly side of the roadway are within a few feet of the water's edge—in fact so close in many places that two vehicles can barely pass each other, and for long reaches the fences have been moved back from time to time on to the lands of the adjoining proprietor so as to have a margin of ground along the shore that travel might be carried on.

Many of the farmers complain that they have been obliged to move their fences back frequently in order to leave a roadway at all, and an examination of the ground clearly shows this to be the case, evidences of the fence lines at successive periods being quite visible at certain points which are now encroached on by the roadway. Some of these landowners claim that the recession of the river has been fully four rods, or one chain, during their occupation of their farms, and they feel sorely on the subject. Attempts have been made to stay the erosive action by building low retaining walls of stone along the water's edge. Planting trees has also been tried, and in each case with a certain amount of success; but it is claimed that it is the duty of the Government to afford relief, as it is the Government property which is principally concerned. Some proprietors state that they will not con-

tinue the moving back process, but call upon the owners of the roadway to protect themselves.

Certainly something should be done, and that on a comprehensive scale, to confine the river to its present limits. A large sum would not be required in order to test the expediency of any measure of protection proposed. In one or two instances the proprietors have tried to obtain compensation for the land lost in front by exacting an equal amount at the rear of their properties ; but, it is needless to say, that such a course did not meet with the approval of their neighbors, whose land was thus sought to be appropriated.

I would respectfully suggest that it may be worthy of consideration whether or not it would be advisable to acquire, by purchase or otherwise, those portions of the chain in width along the margin of the river which were not reserved in the original patents from the Crown, and thus secure for all time the ownership of the whole of the frontage on the river between Fort Erie and the mouth of the Chippawa.

On a reference to the plan accompanying this report, it will be seen that the outline of the river, and consequently the Chain Reserve, appears to cover land not specifically mentioned in the patent to the Commissioners of the Reserve in Willoughby township. The original map of this township does not show correctly the lands near the mouth of the Chippawa creek or Welland river, and some confusion has resulted in consequence. The discrepancy may be more clearly seen in reference to plan "C," where the lot lines as indicated in the original township may be shown in contradistinction to the existing shore line of the river, which indeed appears to be very considerably outside of the limits covered by the original map, and as it is wholly improbable that an accretion to the land has taken place at this point since the original surveys, it would seem to be a clear case of gross inaccuracy in the official map.

The original patents granted for the lands in question describe by metes and bounds the outline of the property as now existing, and they contain a clause reserving one chain along the whole of the river frontage to the mouth of the Chippawa.

From an inspection of the map accompanying this report it will be observed that there is no reserve shown along the bank of the Niagara north of the Chippawa creek (or Welland river) for a considerable distance, in fact until the Q. V. N. F. Park is reached. In the original patents there was a chain reserved along this portion, but in 1816 it was granted in fee simple to one Col. Thomas Clark, and the roadway then upon it was diverted some distance inland and carried in a straight line from the old Bridgewater mills to the village of Chippawa.

The construction of the line of electric railway between the Park and Chippawa necessitated the acquiring of a right of way for the roadbed, and a strip of land 28 feet wide was secured by the railway company for this purpose, and as the railway is located parallel with the shore, and not far from it, an excellent view of the river is afforded to its patrons. As the proprietors of the lands adjoining contemplate the opening of a driveway alongside of the railway, doubtless this may be considered a sufficient approximation to the public ownership of a reserve, and at the same time harmonize with the desire for an open thoroughfare.

The Park proper embraces the shore line for some $2\frac{1}{2}$ miles, and of course covers the Chain Reserve over this distance, although a consid-

erable portion of it had been alienated by the sale to Col. Clark before alluded to. The whole extent of the Park proper, including the chain along the margin of the river and that portion of the talus which lies south of the Clifton House, is 154 acres. These lands were vested in the Commissioners, as Trustees for the Province, by act of the Legislature of Ontario, 50 Victoria, chapter 13.

Several important franchises have been granted since the establishment of the Park by the Commissioners—all of them having to do with the original Chain Reserve, at one point or another, within the Park limits. It will not be necessary in this report to enlarge upon the rights created under the agreements covering these franchises, as they are all familiar to the Commissioners and are well understood. They may, however, be enumerated, and in order of precedence are as follows, viz. :—

A. The perpetual right granted Sutherland Macklem, under his deed of pumping water for household and general use at Clark Hill, together with the intakes, flumes, drainage, machinery and lands required and at present used for that purpose. This right is without compensation.

B. A lease to the town of Niagara Falls for ten years, from 1st September, 1889, (renewable for a second period of ten years under certain conditions) of the right to take water from the river for town purposes, with certain defined stipulations as to buildings, flumes, tunnels, etc. The consideration is a pepper corn rental of five cents a year.

C. The railway franchise executed on December 4th, 1891, and approved of by Act of the Legislature of Ontario, April 14th, 1892. This franchise covers the right to construct a first-class electric railway, with single or double tracks, as may be agreed upon by the Commissioners and the company, in and through the Park proper, from its southern to its northern boundary, and on over the Chain Reserve or other lands of the Commissioners to Queenston, together with the right to all necessary erections, tunnels, &c., &c., for motive power, machinery and appliances.

The compensation to be paid for the franchise, which covers the extension of the line to Queenston, is ten thousand dollars per annum, and the agreement is for a period of forty years from September 1st, 1892, with certain rights of renewal for a further period of twenty years. Attached to this agreement is a provision for the construction of a line of railway along the water's edge in the gorge below the Falls, from the Park to Queenston, if agreed upon between the commissioners and the railway company within five years from the date of agreement. The additional rental to be paid for this privilege is seven thousand five hundred dollars per annum, and the period to run concurrently with the high level line.

A single track railway with crossings has been built through the Park and to Chippawa and Queenston, upon the Chain Reserve. This was opened for traffic on the 24th May, 1893. The commissioners have not called upon the railway company to construct the low level line under the terms of the agreement.

D. The franchise granted the Canadian Niagara Power Co. under agreement dated 7th April, 1892, and approved by Act of the Legislature, 14th April, 1892.

This is a license to take water from the Niagara River to supply

works for the generating of electricity or pneumatic power on a large scale, and provides for all necessary buildings and appliances for that purpose. The license is for 20 years from 1st May, 1892, renewable for four additional periods of 20 years at the option of the company. The company may also terminate the lease at any time during the 1st period of 20 years on giving three months' notice.

The rental payable under the agreement is \$25,000 per annum for the first 10 years, computing from the 1st November, 1892, and increasing by an additional \$1,000 per annum for the second period of 10 years, and \$35,000 per annum thereafter—work to be commenced on or before the 1st May, 1897. Nothing has been done by the company up to date.

E. Zybach & Co.'s lease of the elevator and "Under the Falls" business, together with certain restaurant privileges. This agreement bears date 6th June, 1893, and is for a term of 10 years, at a rental of \$8,200 per annum, renewable for another period of 10 years at an amount to be agreed upon or fixed by arbitration.

In addition to these franchises the "Maid of the Mist" Steamboat Co. holds a portion of the shore and talus at the ferry landing, and within the original Park limits, under tenure from the town of Niagara Falls, which in turn holds by virtue of a Dominion license of occupation, and, it is claimed, under a Provincial license as well. This case appears to be a somewhat intricate one, and presents difficulties which I am unable to determine with any degree of assurance. The facts appear to be as follows :—

On the 27th May, 1862, the Commissioner of Crown Lands for the Province of Upper Canada issued a license of occupation to the municipal council of the town of Niagara Falls of the Chain Reserve and the strip of land lying between the reserve and the water's edge of the river in front of the town, reserving therefrom the macadamized road of the toll road company and certain privileges previously granted near the Table Rock. Under this license of occupation the town authorities sub-let on June 14th, 1884, to Messrs. Carter and LeBlond, the owners of the little steamer "Maid of the Mist," a strip of land lying between the eastern edge of the macadamized road and the water's edge, and extending southerly along the bank a distance of sixteen hundred feet from the Upper Suspension bridge. This sub-lease recites that the Commissioner of Crown Lands has assented to the sub-letting of the premises by virtue of a letter dated 1st May, 1884, of which the following is a copy, viz. :—

"1st May, 1884.

"Sir :

"I am directed by the Commissioner to acknowledge the receipt of your letter of the 26th inst., enclosing copy of license of occupation, dated 27th May, 1862, to the municipal council of the town of Clifton, of the Chain Reserve along the top of the bank of the river Niagara, and the strip of land lying between the said reserve and the water's edge of the river in front of the said town, with certain reservations, and asking if there is any objection to sanction the sub-letting of a small strip at the water's edge near the Clifton House, where the ferry crosses the river, and below the bank, to a ferry company, so as to enable them to land their passengers and also to erect a small building for ferry purposes, and to say in reply that the Commissioner does not see any objection to the corporation sub-letting the small

"strip in question for the purposes mentioned in your letter, as you say it has been used in this way for years.

I am, Sir,

Your obedient servant,

THOS. H. JOHNSON,

"J. C. Rykert, Esq., M. P.,
St. Catharines."

Asst. Commissioner."

On March 27th, 1885, the town authorities, evidently concluding that the property held under this license was not the property of the Province, but was ordnance lands, took a lease from the Dominion Government, and on the 27th April, 1887, executed a new sub-lease to Carter & Leblond, confirming the one of June 14th, 1884, but restricting the lands leased to about one acre only, at the ferry landing as shown on plan "D" herewith.

On the 4th November, 1890, the Dominion surrendered whatever rights it had or claimed to these lands, with others, to the Park Commissioners, and as its lease to the town (27th March, 1885,) was during pleasure only, presumably the Commissioners have, under the surrender, full powers to deal with the case. The license of 1862, from the Commissioner of Crown Lands, does not appear to have been formally cancelled, but the town by its action practically renounced the authority of the Province in the premises, and therefore it cannot well be revived in their favor. In either case the Park Commissioners would appear to have full powers, and it might be well, in order to remove all misapprehension, to consider the granting of a new lease under such terms as may be deemed just and reasonable in the circumstances.

North of the Park proper the Chain Reserve follows in general the line of the high rocky wall forming the bank of the river. For over two miles the Chain Reserve lies within the limits of the Town of Niagara Falls, and forms the frontage thereof. Between the Reserve and river there is a talus sloping down to the water's edge, averaging some 200 feet in width, forming part of the Reserve. North of the Park the line of the electric railway is located upon the Chain Reserve, as near to the edge of the bank or easterly side of the Reserve as could be—due regard being had to safety and to the alignment of the railway. Under the agreement with the railway company right of way for a double track is provided, and in order to furnish room for an additional line of rails, and at the same time have abundance of space for vehicular and pedestrian travel over the roadway on the Reserve, it becomes necessary to examine carefully into the question of encroachments.

There has been a general tendency manifested by property owners in the town, whose limits extend to the Reserve, to "crowd" over the fences on the west side, and in the case of the "Clifton House" the encroachment is very apparent. In fact this is one of the most objectionable of the many cases which come up for consideration, as it is in the line of the greatest travel, viz.: between the Upper Suspension bridge and the Park. Not only does the large promenade veranda, which runs along the east side of the hotel, extend out on to the Reserve at the north end, but nearly fourteen feet of the building itself is at one point projected out beyond the correct line. This encroachment seriously narrows in the driveway at this point, and steps should

be taken without delay to afford at least some measure of relief to the carriage travel. The shed for omnibuses also encroaches very considerably.

The case of the Upper Suspension bridge requires explanation. On the 28th January, 1873, letters patent were issued by the Dominion Government to the Clifton Suspension Bridge Co. for a piece of land 200 feet in length along the Reserve, and including a portion of the Reserve and the talus down to the river. The lands of the reserve were required for the straining piers of the bridge, and over thirty-five feet of the sixty-six were patented. The patent describes the lands conveyed by metes and bounds, and these are well defined. The existing bridge structure over-reaches beyond the limits patented, the two corner posts of each of the steel towers and the stone wall enclosing them being about ten feet outside of the proper line. There is therefore very little of the "Chain" left at this point.

The sum of \$40 was paid as purchase money for the lands thus patented.

Should it be decided that title to this property must issue from the Commissioners, I would respectfully suggest that right of way for the projected Low Level Ry. be reserved therein. Compensation in kind for the lands of the Chain Reserve taken in excess of what is patented might be required from the Bridge Co. on the west side of the reserve. I may say that the holding down guys of this Suspension bridge are fastened to the rocks below far outside of the lands patented, and in some instances fully 250 feet therefrom.

Beyond this Suspension bridge there are several property encroachments on the west, and one building, the bazaar of Mr. Ed. Davis, is erected partly on the reserve.

For a considerable distance below Davis' the property is not improved, and the fences not in place, but much of the frontage is under offer for sale, and doubtless will soon pass into many hands for building purposes. It will therefore be desirable to have the limits of the reserve properly defined in case of new structures or boundary fences being put up, as the land along the reserve is becoming valuable, and in all probability the same process of "crowding" will be attempted by contiguous owners.

From Simcoe street northwards to Park street there is a continuous encroachment, varying from a few feet to over twenty. Throughout the whole of this distance the rights of the property owners, as defined in the original plans of the town, appear to conform generally to the line of the Chain Reserve as laid down in the map "E" herewith attached, and presumably their deeds tally with the original and official plans.

I would therefore suggest that this matter be made the subject of careful investigation, and the precise standing of the Commissioners as regards the lands thus indicated be ascertained.

The Cantilever bridge, officially known as the Niagara Peninsula Bridge Co., secured from the Government of Canada a license of occupation for the whole width of the Chain Reserve at the site of their bridge and down to the water's edge. The license of occupation bears date the 13th April, 1883, and requires the payment of \$50 a year. The description given of the lands so leased is very faulty. The quantity of land is described as three hundred and seventy-five thousand two hundred and seventy-two square feet, or equivalent to 8 60-100 acres ;

while the metes and bounds enclose only some 87-100 of an acre, and the land as described in the patent does not embrace all the ground on which one of the main piers of the bridge is constructed. I have shown on the plan herewith the land doubtless intended to be conveyed under the agreement, and as shown on a map purporting to cover these lands, made by D. W. Gossage, D. L. S., in 1889. The area of the lands shown would be about 1 1-8 acres. I understand that application has been made to the Commissioners for a confirmatory title to these lands, by this Bridge Co., and I would therefore draw attention to the desirability of reserving therein the right of way needed for the Low Level Railway.

There does not appear to be any title on file covering the occupancy of the Railway Suspension bridge, whose towers and offices occupy nearly the whole width of the Chain Reserve at the site of their bridge, and the only reference bearing on the question of title which appears to have been discovered thus far is an entry in a book, dated November, 1856, purporting to give a list of Ordnance Reserves transferred to Old Canada, and which is in custody of the Crown Lands Department at Toronto. It reads :

“Suspension Bridge Co.”

“No lease executed. 3 ac. 8 per. were authorized B. O. 28 August, 1850, to be leased to the Co. at £1 currency per annum. Plan and description for the lease were forwarded to the Pres. of Co. 24th July, 1851, but never returned.”

The quantity of land referred to above, viz. :—3a., Or., 8 per., would comprise a long reach of both the Chain Reserve and the talus between the Reserve and the water's edge, not less than 500 feet, and although the holding down guys securing the structure against undue vibration reach out to and beyond this distance, yet it would certainly be inadvisable to embrace such a large territory in any documentary title which the Commissioners may consider it advisable to grant.

The £1, 0s., 0d., per year rental alluded to has not been paid.

This bridge was first opened for ordinary traffic in August, 1848, and was replaced by the permanent structure and opened for railway and general traffic on March 25th, 1855, the steel towers and truss being substituted for stone and wood respectively some ten years since.

A short distance below the Railway Suspension bridge there is a brick building standing upon the edge of the bank. This was erected about 1880, by G. H. Howard and others for a flouring mill, and in connection therewith a water wheel and appliances for generating power and conducting it to the top of the bank were erected on the lands below the cliff, and at the water's edge.

The works below were carried away by high water shortly after they were put in, but the building on the top remains, although it has not been used for many years. It is now occupied temporarily by the Electric Railway Co. as a store house for materials. No title was ever had for the lands thus occupied and the building should be removed.

Immediately below this brick building the Grand Trunk Railway Co. have had, for some years, a steam pumping station, the machinery of which is contained in a wood building situate at the water's edge, a rough box coal chute leading thereto from the top of the cliff above. The Grand Trunk Railway Co. has no title to the land thus occupied. This pumping station is at present unused, as the railway receives its

water supply through the town mains, and the Commissioners might consider the advisability of ordering its speedy removal.

A short distance below this the Whirlpool Rapids incline is situated, with buildings for offices and a fancy goods store, and a drive shed on top. There is also a long promenade platform skirting the edge of the mighty rapids below, with frame buildings at either end. This property, with its appurtenances, is covered by the Electric Railway company's agreement, and is now under their possession and management.

The distance from the Park proper at the Clifton house to the northerly limits of the town of Niagara Falls is some two and one-half miles. Over the whole of this distance there is a roadway built upon the Chain Reserve, much used for driving purposes by tourists and others, and it is an important avenue leading to the Park and at the same time the principal thoroughfare for pleasure travel in the town, this roadway should be maintained in first-class condition and made an attractive feature of the locality, as it commands a magnificent view of the river gorge and of the falls. It is now in wretched order and quite unfit for driving purposes.

To put this road in proper condition will entail a considerable outlay, as it requires to be macadamized the entire distance. Its subsequent maintenance, after being once properly repaired, will then be a comparatively inexpensive matter, as the travel is chiefly of a light character.

For many years a portion of this roadway was in the hands of a Toll Road Co., and tolls were exacted from all vehicles passing over it. In the year 1888 the rights of the proprietors in this toll road were purchased by the Commissioners, and the tolls charged for use of the road, upon a petition of the residents of the town made to the Commissioners, was by them removed and the road made free to all. As the residents of the town were chiefly benefitted by the removal of the tolls, it would appear to be but right that the town should bear some portion of the costs of repair and maintenance of the road, more especially as it is the only direct means of access from the business portion of the town to the Park.

Until the revenues at the command of the Commissioners are sufficiently large to provide for the requirements of the Park proper and have something over for extensions of the work, it might be well to secure the co-operation of the town in caring for this roadway.

At various points along the Reserve in front of the town the owners of land on the west side have put drains across the roadway in order to provide sewerage for their properties, and at several places where there are streets abutting on the Reserve the town has put in large tile pipe sewers to the edge of the cliff, where they empty their contents over the bank—the liquid matter to seek the river by running down the steep talus, and the solid to lodge on stones and trees and create offensive odors, which are wafted up to the roadway above by every east wind that blows.

Muddy Run creek, which acts as an open sewer for part of the town, spills over the bank at the Whirlpool Rapids, and is very offensive at all times, but particularly in hot weather, to the many thousands who go down to the water's edge to view the Rapids.

If the town authorities are to be allowed to drain into the river the outlets should be confined to two, or perhaps three, main sewers,

and these should be led unbroken down to the waters of the river below.

Beyond the limits of the town the reserved land follows the edge of the rocky precipice on broken front, lot number 74, to Colt's point, which is at the beginning of the Whirlpool. Around the southerly side of the Whirlpool the Chain Reserve takes the high ground as far as the concession line, where it comes to an abrupt termination, the patents to the lands in the second concession not reserving any ground along the bank of the great Whirlpool ravine.

The Dominion Government, through its agent, Dr. Douglas of Fort Erie, made a sale of the talus in front of the Chain Reserve over this (B.F.) lot, 74, to one Samuel Colt, in Dec., 1868, receiving therefor the sum of two hundred and fifty dollars. Colt improved the premises and collected tolls from persons using his improvements and going upon the premises to see the Whirlpool. In August, 1887, Colt was served with a notice to surrender possession of the Chain Reserve which he occupied and of the talus where his improvements chiefly lay, by the Park Commissioners, who disputed the title under which Colt claimed. A long litigation followed, and the judgment rendered by the Hon. Justice Rose was entirely in favor of the Commissioners' claims to the property, a reference being required to determine the value of the improvements made by Colt. The Railway Co. having in the meantime, under their agreement, secured the right to acquire and operate the works referred to, have now pending the question of payment for improvements made, and the extinguishing of all Colt's interest in the premises.

To provide lands for a favorable location of the Electric railway, the Commissioners purchased a strip along the high ground on both sides of the Whirlpool ravine and across the same in the second concession of Stamford. The lands thus secured form a connecting link between the lands of the Chain Reserve south and north of the Whirlpool. The broken lands between lots 58 and 74, in 1st concession, were never alienated from the Crown until they were vested in the Commissioners.

The lands under the high bank and between the Chain Reserve proper and the river, in front of lots 58 and 41, were sold by the agent of the Dominion Government in December, 1868, to one John Thompson, the owner of the lots above mentioned. Before title was passed, however, it was ascertained that the fee of these lands did not lie in the Dominion Government, and that therefore the sale was irregular. Mr. Thompson, on learning that title could not be had from the Dominion Government, applied to the Provincial Government for a patent, but without success. The heirs have registered the receipts given for the money paid, some \$250, and claim that the purchase money agreed upon was paid over by the Dominion to the Provincial authorities, and they are therefore entitled to the lands in question.

The case is in some respects similar to that of Colt, before mentioned, which was decided by Hon. Justice Rose in favor of the Commissioners, and presumably the Commissioners have title in and to these lands, which embrace a part of Foster's Flats.

The lands below the bank in front of lots 40 and 21 were sold before Confederation to one John Lawrence, and have passed to Charles Murray. There is said to be about 53 acres in this piece, and as it is the only break in the ownership of the talus from the Suspension bridge

to Queenston Heights, with the exception of a small piece in front of Sir David Macpherson's land, it should be acquired ; and I understand measures are being taken to bring it under the control of the Commissioners. An extra piece of land has been secured at "Wintergreen Flat," immediately opposite "Foster's Flats," but on the top of the bank. This land was considered a desirable purchase, as from it magnificent views of the river and rapids are obtained ; and it was considered inadvisable to allow it to fall into an ownership which might be inimical to the plans of the Commissioners.

The Chain Reserve on the top of the bank ended at lot 1, Stamford, but was continued along the water's edge in front of the gore and throughout the township of Niagara. This left a large part of the talus and all the lands above the bank in private ownership ; and it became necessary, in order to provide right-of-way for the Electric Railway to secure land on the top of the bank. The whole of the slope, therefore, and a strip along the top of the bank was acquired, extending down to the Military Reserve at Queenston Heights, excepting only the small part of the slope above referred to and fronting on Sir D. Macpherson's lands. This property is shown on plan "G." attached thereto. Right-of-way for the railway across the Macpherson land was secured some distance back from the edge of the bank so as to admit of a practicable grade leading down to the heights.

The Military Reserve at Queenston formerly extended along the water front a distance of 3000 feet, and included all the lands about the escarpment and down to the old military landing place, near which there was a considerable space of nearly level ground. For some reason part of the lands on the level near the river, and even embracing some of the water frontage was disposed of by the Government of Canada some years ago ; all the remainder, including the heights, sloping ground and roadways, &c., is still the property of Canada.

On the summit of Queenston Heights stands the magnificent monument erected in memory of General Brock. The monument and the grounds surrounding it are cared for by the Government of Ontario, and any expenditure for repairs, &c., are provided for by the legislature. There does not appear to be any valid reason why the whole of the Military Reserve lands at this point, including the monument and grounds, should not be put in charge of the Park Commissioners. Queenston Heights forms one end of the long panorama of natural wonders of which the Park is the other, and the Commissioners control the whole of the intervening ground along the river bank. Then why not make their task complete by having control given them of the northern end ? The grounds around the monument are in need of better attention than they now receive, and the balance of the Reserve is but wild lands, receiving no attention whatever.

There is at present a charge of 25 cents made for ascending the monument. This charge must yield a considerable revenue, which would doubtless go a long way towards keeping up the premises ; but even though a certain small sum was annually needed to carry out improvements, doubtless the Government would be willing to assist in order to have this historic ground, so near to the hearts of all true Canadians, maintained in a creditable manner.

Immediately below or north of the boundary of the Military Reserve, a water lot has been patented by the Dominion Government to the Niagara Navigation Co. (Ltd.) It extends 846 feet along the river

adjoining the Chain Reserve, and extends 100 feet out into the water. The document bears date 17th July, 1882, the consideration being \$200.

There are some fishing privileges leased at and below Queenston, which I presume is not a matter of interest to the Commissioners. The leases are from year to year, and are issued by Mr. Kerr, Dominion Inspector, of Hamilton, Ont., and the total revenue for this year was some \$50.

Above and below the Military Reserve and throughout the township of Niagara, the chain reserved in the patents from the Crown is along the shore line of the river, and not upon the top of the high bank. As the general level of the lands from Queenston to Niagara is from 40 to 80 feet above the water surface, and the slopes are more or less steep, it follows that the reserved lands are not at all suited for a roadway, nor are they ever likely to be used for railway purposes, as level lands above can be obtained and a line of railway constructed at small cost.

There is not much to note respecting the Reserve below Queenston. A license of occupation during the pleasure of the Crown was issued in February, 1867, by Andrew Russell, Assistant Commissioner of Crown Lands, to George Durand, covering the right to occupy $1\frac{3}{4}$ acres of the Chain Reservation in front of part of lot 15 of Niagara. The Crown Lands Department also issued a license in March, 1864, for 21 years, at \$9 per year, of a small water lot in front of part of lot 14, Niagara, for the purpose of a wharf. There is no wharf in existence, and the license does not appear to have been extended. Other than this I can find nothing of note, excepting a rather curious and interesting license issued in March, 1866, by the Commissioner of Crown Lands, to the Erie and Niagara Mining Co. The lease was for 25 years, and gave the right to explore the bed of the river from Queenston to Niagara, and out to the boundary line of the Province, for ores, metals, minerals or mineral substances, reserving a royalty of $2\frac{1}{2}$ per cent. upon the value of all such products. The document also stipulated that if the company found it necessary to use any part of the Chain Reserve between Queenston and Niagara for their operations, the Commissioner of Crown Lands would give a license of occupation to the company for such portion thereof as might be in his opinion necessary, and upon such terms as might be agreed upon. The document is signed by Wm. A. Thompson, the President of the Company.

The lands of the Commissioners which have been dealt with and titles given by the Dominion Government are as follows :—

Location	Nature of Tenure.	Name.	Quantity. Acres.	Price.	Reference to Plan.
Village of Fort Erie	Sale.	L. McIntyre	0.18	\$ 262 50	A
do.	do.	Henry Harris	0.20	200 00	A
do.	do.	J. Paulus	0.10	250 00	A
do.	Lease.	Vil. Fort Erie	1.07	640 00 per an.	A
do.	Sale.	{ Erie & Niagara..			
		{ Railway Co.	9.20	4000 00	A
Town of		{ Town of Niagara			
Niagara Falls..	Lease.	{ Falls	1.00	1 00	D
do.	Sale.	{ Clifton Sus.			
		{ Bridge Co.	1.09	40 00	D
do.	Lease.	{ Niagara Pen. ...			
		{ Bridge Co.	1.13	50 00 per an.	E
	Sale of	{ Niagara			
Queenston water lot		{ Navigation Co... ..	1.94	200 00	G

The frontage on the river of the several properties is as follows :

Locality.	Total Frontage.	Frontage Owned by Commissioners
Township of Bertie	5.75 miles	5.75 miles
Township of Willoughby	10.10 "	7.50 "
Township of Stamford	9.10 "	7.40 "
Township of Niagara	8.00 "	6.25 "
Totals	32.95 "	26.90 "

Statement showing the total approximate quantity of land vested in the Commissioners :

Chain Reserve in front of	Acres.	Acres.
Township of Bertie	46	
Township of Willoughby	60	
Township of Stamford and north of Q. V. N. F. Park...	44	
Township of Niagara	50	
	<hr/>	200
The Queen Victoria N. F. Park		154
Lands below the high bank or talus :		
In Stamford Township	220	
Less Murray's rights on Foster's Flats, not yet re-conveyed	53	
	<hr/>	167
Additional lands secured for Electric Railway above and below the bank		56
		<hr/>
Total now vested in Commissioners.....		577

The quantity in Willoughby Township which was not reserved in patents is about 25 acres.

Of all this very valuable property only the small portion embraced within the limits of the Park proper, or say ten per cent. of the frontage owned, is now maintained in good order and condition. A comparatively small additional expenditure would permit of many simple works of reclamation or improvement being done at points along the river which would enhance very materially the enjoyments of the many visitors who now view the property year by year. Especially should the existing foliage along the high bank from the Park to Queenston be kept trimmed and neat, and suitable planting of trees or shrubs might be done with advantage at points where there is sufficient depth of soil to permit it.

Without doubt the whole extent of the property will become more and more valuable year by year, especially if a reasonable amount of attention can be given to its protection and development. I would, therefore, respectfully urge the early consideration of this important question upon the attention of the Commissioners.

The whole respectfully submitted.

JAMES WILSON,

Superintendent.

Niagara Falls, July 28, 1893.

Queen Victoria Niagara Falls Park,

Commissioner's Office,

Toronto, 17th March, 1894.

Sir,—I have the honor to transmit herewith, to be presented to His Honor the Lieutenant-Governor, the Eighth Annual Report of the Commissioners of Queen Victoria Niagara Falls Park, being for the year ended 31st December, 1893.

I have the honor to be, Sir,

, Your most obedient servant,

J. W. LANGMUIR,

Chairman.

The Honorable

J. M. Gibson, Q.C., M.P.P.,

Provincial Secretary.

EIGHTH ANNUAL REPORT
OF THE
COMMISSIONERS
FOR THE
QUEEN VICTORIA NIAGARA FALLS PARK,
1893.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.



TORONTO :
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1894.

QUEEN VICTORIA NIAGARA FALLS PARK,

COMMISSIONER'S OFFICE,

TORONTO, 17th March, 1894.

SIR,—I have the honor to transmit herewith, to be presented to His Honor the Lieutenant-Governor, the Eighth Annual Report of the Commissioners of Queen Victoria Niagara Falls Park, being for the year ended 31st December 1893.

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EIGHTH ANNUAL REPORT OF THE COMMISSIONERS OF THE QUEEN VICTORIA NIAGARA FALLS PARK.

To the Honorable GEORGE AIREY KIRKPATRICK,
Lieutenant-Governor of Ontario.

MAY IT PLEASE YOUR HONOR:

In conformity with the provisions of the Act, the Commissioners of the Queen Victoria Niagara Falls Park beg to submit their report for the year ended 31st December, 1893.

Since the last annual report the *personnel* of the Commission has been materially changed by the retirement of the Chairman, Col. Sir Casimir Gzowski, A.D.C. From the creation of the Park Commission, Sir Casimir Gzowski has borne the chief responsibility in the arduous task of framing and carrying out the policy which has guided the Commissioners in the execution of their important trust, ever bringing to the work a wealth of resource and experience essentially his own, and it was a cause of unfeigned regret to his fellow Commissioners that he found it necessary to press his resignation, which was ultimately accepted by the Government.

The vacancy on the Board was filled by the appointment by Order in Council of Mr. George H. Wilkes, of Brantford, as a Commissioner, and of Mr. J. W. Langmuir as Chairman.

In their report for last year the Commissioners referred to the forward condition of the works of construction which had been energetically carried on during the season of 1892 by the Niagara Falls Park and River Railway Company.

In the early months of 1893 the work of construction was resumed and sufficiently far advanced by the beginning of June to admit of the opening of the road for traffic.

The Commissioners are happy to state that the predictions which they ventured to make in their last report as to the results likely to follow from the active operation of the road have been fully borne out. Many thousands of visitors have been daily brought to the Park over the railway; the Park and its historic environment have been vastly more appreciated, while the surpassing beauty of the scenery of the river below the Falls and down to Queenston Heights—much of it hitherto practically a sealed book to the ordinary tourist—has been fully opened up and made accessible to every one at a trifling cost and with a maximum of personal comfort.

The wisdom of granting a franchise for the construction of the electric railway over the Chain Reserve lands vested in the Commissioners is amply borne out by the results already attained. It is publicly stated that over 400,000 passengers were carried during the seven months of 1893 that the railway was in operation, and when steamer connections with the city of Buffalo are fully established at Chippewa, the stream of travel will doubtless be very largely increased.

The gratifying success attendant on the opening of the road speedily demonstrated the fact that the large traffic offering could not be handled with convenience or safety upon a single line of rails. "Excursion" business formed a very large proportion of the local traffic, and that class of business, in order to be successful, must necessarily be handled with despatch. It was found that long and vexatious delays were inseparable from the attempt to transfer tourists *en masse* from the steamers at Queenston, or the railway station at Clifton, to the Park, without serious interference with the regular service of the railway.

On the 10th of August last formal application was made by the Company to the Commissioners for permission to double track the line in and through the Park and to be either terminal at Chippewa and Queenston.

This application required grave consideration on the part of the Commissioners; the need for a double track was readily recognized, and indeed had been provided for (under certain regulations) in the original agreement made with the promoters of the railway. There are points, however, within the Park and in front of the town of Niagara Falls where the available space is limited and where the construction of a second line of rails would unduly hamper and crowd the ordinary vehicular and pedestrian travel, and precautions had to be taken in order to sufficiently protect these interests. The Railway Company were required to furnish plans showing clearly what changes were covered by their application. On receipt of these maps and plans from the Company the Commissioners went over the ground and carefully considered on the spot the question in all its various aspects, arriving at conclusions in respect to certain particulars which involved amendments in those respects to the plans as furnished; they also defined certain limits where there should only be a single track, and embodied in a specification the various works which were considered to be indispensable to the completion of the line in a manner compatible with the exceptional character of the place.

These conclusions have been embodied in a resolution which, together with the plans and specifications referred to, have been formally laid before the Honorable the Commissioner of Public Works for his approval, as required under the Act incorporating the Railway Company.

The roadbed of the railway in the Park, and at many points of the line outside of the limits of the Park proper, has not been put into the finished condition required by the Commissioners. Care will be taken to see that in the progress and completion of the additional work involved in double tracking, and also over those portions where a single track only will be permitted, a proper and satisfactory degree of finish shall be given, and everything put into good shape before the next season's business commences.

The improved facilities for reaching the Park to be afforded by the opening of the electric railway, and the consequent great increase expected in the number of visitors, afforded the Commissioners a most favorable opportunity for re-arranging the terms under which the photographic and restaurant privileges were leased. On mature consideration it was decided to combine the business of conducting visitors "under the Falls" with the others named, and to advertise for offers from responsible parties for a lease to cover a term of years. This was done with the result that an agreement was entered into with Messrs. Zybach & Brundage on the 6th of June last, by which a yearly rental of \$8,200 is secured for a period of ten years, with right of renewal under conditions as to rental to be arrived at by arbitration.

The agreement, which was made with the consent of the Government, is as follows:—

"This indenture made the sixth day of June in the year of our Lord one thousand eight hundred and ninety-three, in pursuance of the Act respecting Short Forms of leases, between the Commissioners of the Queen Victoria Niagara Falls Park, and hereinafter styled the Commissioners of the first part, and John Zybach of the Town of Niagara Falls, Ontario photographic artist, and James T. Brundage of the City of Niagara Falls, State of New York, gentleman, of the second part, and hereinafter styled the lessees.

"Witnesseth that in consideration of the rents, covenants and agreements, hereinafter reserved and contained on the part of the lessees jointly and

“ severally for themselves, their executors, administrators and assigns to be paid,
 “ observed and performed. The Commissioners have demised and leased and by
 “ these presents do demise and lease unto the lessees, their executors, administrators
 “ and assigns, all these messuages or tenements situate in the Town of Niagara
 “ Falls within the Queen Victoria Niagara Falls Park, in the Province of Ontario,
 “ known as the Table Rock House, and all the building known as the Museum
 “ Building except the rear wing thereof (which is reserved from the operation
 “ or effect of these presents), together with the rights and privileges hereinafter
 “ specified but subject to the conditions and stipulations hereinafter specified, the
 “ said rights and privileges to be held and enjoyed by the said lessees their
 “ executors, administrators and assigns, as appurtenant as a whole to the demise
 “ and lease of the said buildings.

“ To have and to hold the said demised premises together with the said rights
 “ and privileges as aforesaid for and during the term of ten years to be computed
 “ from the first day of June one thousand eight hundred and ninety three and
 “ from thenceforth next ensuing and fully to be complete and ended.

“ And it is hereby agreed by the parties hereto that the rights and privileges
 “ hereinbefore mentioned, to be held and enjoyed as appurtenant as a whole, to
 “ the demise and lease of the said buildings, and the stipulations to which the
 “ said rights and privileges are subject, are as follows :—

HYDRAULIC LIFT AND TUNNEL.

“ 1. The exclusive right of the lessees to use the present hydraulic lift at the
 “ Falls, together with the right to take visitors under the Falls by means of the
 “ existing tunnel, with the use of dressing rooms in the Table Rock House, and
 “ the collection of tolls from visitors for such uses.

“ 2. The tolls collectable from visitors for the use of the hydraulic lift tunnel,
 “ etc., including charge for guides and suitable apparel, shall not exceed, for each
 “ visitor going under the Falls (provided by the lessees with oiled dress and guide)
 “ fifty cents.

“ 3. For each visitor going under the Falls, including the use of the elevator,
 “ without guide or dress, twenty-five cents.

“ 4. Subject to the following stipulations, to be observed, kept, and performed
 “ by the lessees.

“ 5. To keep the present hydraulic lift in a good state of repair, and to pro-
 “ tect the same from frost during the winter.

“ 6. To keep the tunnel and the paths approaching the same, and the shore
 “ between the lift and the tunnel, in good order and condition.

“ 7. The foregoing repairs, protection, order and condition to be kept and
 “ maintained to the satisfaction of the Superintendent of the Park, as also the
 “ protection afforded to visitors, and the method of conducting the business.

“ 8. The tunnel and paths under the cliff may be extended and improved
 “ from time to time by the lessees, but such extension and alterations are to be
 “ made according to plans approved of by the Park Commissioners.

PHOTOGRAPH BUSINESS.

“ 9. The exclusive right to take and produce, for purposes of sale within the
 “ Park, photographs of scenery and of persons, individually and in groups.

“ 10. The photographs and pictures may be exposed and offered for sale in
 “ the Table Rock House, or museum, or both, and this right shall include the right
 “ to sell fancy goods in the Table Rock House in the room allotted to the sale of
 “ photographs, but such sales of photographs, pictures and fancy goods shall not
 “ be elsewhere within the Park, then as herein specified.

" 11. Solicitation for taking photographs of scenery, and of persons, and for the sale of photographs and photographic views, to be confined to the rooms and premises occupied by the lessees and for the sale of fancy goods to be confined to the room allotted for sale of photographs, and not elsewhere within the Park.

" 12. The line and description of fancy goods sold or offered for sale, shall from time to time be subject to the approval of the Superintendent, and lessees shall not sell nor offer for sale fancy goods or any line or class of fancy goods which he may forbid the lessees to sell.

RESTAURANT IN THE MUSEUM, AND REFRESHMENTS.

" 13. The exclusive right to keep a restaurant in the building known as the Museum, except any part of the rear wing, which is reserved.

" 14. The lessees to be allowed to alter that part of the Museum building allotted to them, but such alteration to be first approved of by the Commissioners.

" 15. No other restaurant shall be permitted by the Commissioners in the Park, but the lessees shall have the exclusive right to sell refreshments at such points within the Park, other than the Museum, as they may deem desirable, but the manner of doing such business, as well as the location of the points for sale of such refreshments, and the accommodation to be furnished to visitors at such points shall be on an application made from time to time by the lessees to the Superintendent in writing, and shall not be deemed allowed until the Superintendent shall have signified his assent in writing.

" 16. The lessees shall not be permitted to take boarders or lodgers in any of the premises to be occupied by them under these presents, nor shall they permit any person to reside or lodge in the said premises except such as are employed in the occupations to be carried on under these presents.

" 17. Nor shall the lessees permit a greater number of persons employed as aforesaid to reside or lodge in the said premises than such number as may from time to time be deemed unobjectionable by the Superintendent.

" 18. The persons employed by the lessees coming in contact with the public shall be clothed in proper uniform, and if their conduct, or the conduct of any other person employed by the lessees shall be such as to be disapproved by the Superintendent, the lessees shall forthwith dismiss such person from his employment upon being required to do so by the Superintendent.

" Yielding and paying therefor, yearly and every year during the said term hereby granted, unto the Commissioners, their successors or assigns the sum of eight thousand and two hundred dollars, to be payable quarterly in advance on the following days and times in succession, that is to say, the sum of two thousand and fifty dollars.

" On the first day of January, on the first day of April, on the first day of July, and on the first day of October in each and every year, the first of such payments to become due and be made on the first day of July next. But on the day of taking possession the lessees shall pay to the Commissioners, the proportionate amount of rent from such day to the said first day of July next.

" That the said lessees covenant with the Commissioners jointly and severally in manner aforesaid to pay rent, and to pay all municipal taxes or school rates which are legally chargeable against the lessors by reason of their occupation of the premises in manner and form hereby demised to them and to repair and in manner and as hereinbefore provided. And that the Commissioners and the Superintendent of the Park or either of them may enter and view state of repair and that the said lessees will repair according to notice, and that in respect of the repair of the hydraulic lift or the protection thereof from frost

during the winter, on such notice as the Superintendent shall fix and leave in writing on the premises.

“ And that the lessees will not assign or sub-let without leave, and that they will leave the premises including the hydraulic lift, tunnels, paths, and shore, in good repair.

“ Proviso for re-entry by the Commissioners on non-payment of rent or non-performance of covenants.

“ The said Commissioners covenant with the said lessees for quiet enjoyment.

“ And it is hereby agreed by and between the parties hereto, as follows, that if the lessees shall have duly observed and performed the covenants and agreements hereinbefore by them agreed to be done and performed, they shall at the expiration of the term hereby demised, have the right to have the said lease extended for a second period of ten years on the same terms and stipulations and provisions save as to the amount of rent to be paid by them to the said Commissioners, the amount of which to be determined as hereinafter provided.

“ If the lessees desire to exercise their right of extension for such further period of ten years, notice of such desire shall be given by the lessees to the Commissioners in writing at least six months before the expiration of the first period of ten years hereby demised.

“ If the lessees and the Commissioners cannot agree upon the amount of rent to be paid for such further period of ten years, within two months after the period at which the lessees shall have given notice of their desire to have the term extended for the second period of ten years, the amount to be paid for such further period of ten years, and the manner and terms of such payment, shall be ascertained by three arbitrators, or a majority of them.

“ One of whom shall be named and appointed by the Commissioners, another by the lessees, and the third by the Master-in-Chambers, High Court of Justice for Ontario, and the award of such arbitrators shall be subject to the same provision of law as if the said arbitrators had been appointed by the said parties upon a voluntary reference under the revised statute of Ontario respecting arbitrations and references.

“ Either party to such arbitration may appeal from the award upon any question of law or fact to the Court of Appeal for Ontario, and the said Court shall have the same jurisdiction therein as a judge has on an appeal from a report or certificate under section 4, of the aforesaid revised statute respecting arbitrations and references.

“ And the Commissioners covenant with the lessees their executors, administrators and assigns, that they will not grant or confer upon any other person, or upon any company, any of the rights and privileges contained in the paragraphs numbered one to eighteen inclusive, provided that the lessees, their executors, administrators or assigns, shall duly observe and perform upon their part all matters and things by them or any of them undertaken to be done, observed and performed in and by these presents.

“ In witness whereof the parties of the second part have hereunto set their respective hands and seals on the day and year above written on which day also the parties of the first part have affixed their corporate seal, and John Woodburn Langmuir, one of the Commissioners hath set his hand.”

Signed, sealed and delivered by

JOHN ZYBACH and JAMES T. BRUNDAGE,

In presence of JAMES WILSON.

Signed,

JOHN ZYBACH (Seal.)

Signed,

JAS. T. BRUNDAGE (Seal.)

Signed,

J. W. LANGMUIR (Seal.)

Chairman.

It will be observed that by the terms of this agreement Messrs. Zybach and Brundage have to put and keep in repair the large buildings known as the Table Rock House and a part of the Museum. These structures were much out of repair, as is shewn by the reports of the Superintendent of the Park for the last four years, and a very large sum already has been spent by the lessees under the agreement in effecting the needed improvements. The Museum building has been most elaborately fitted up, at great expense, as a high class restaurant, and it is manifestly the intention of the lessees to make this service worthy of the situation and surroundings.

In the lease, a portion of the old Museum building was reserved by the Commissioners as a waiting-room, or shelter, for the large picnic parties who eat their lunch at the Gardens. A considerable expenditure was required to fit up this place and make it suitable for the purpose.

But little could be done in the way of permanent improvement of the grounds during the past year, owing to the want of funds. In their report for the year 1891, the Commissioners drew attention to the desirability of spending not less than \$10,000 a year for several years in "reclamation and artistic treatment of the 154 acres of lawn and meadow and the beautifully wooded islands, hillsides and sloping shores within the Park boundaries." When to this area we add the 320 acres comprised in the Chain Reserve and talus lying between the Park and Queenston Heights, which is now accessible to the public by the opening of the railway, it becomes the more necessary that adequate provision be made for carrying out the object had in view in the creation of the Park.

The Commissioners would here draw attention to the great desirability of having the lands comprising the military reserve at Queenston Heights put under the control of the Park Commissioners. Practically all the land fronting on the Niagara River, from its head at Fort Erie, to its mouth at Niagara on the Lake, is now vested in the Commissioners as Trustees under the Crown; and from the Falls down to the Heights at Queenston the whole of the beautifully wooded slope is under their control. It would therefore appear to be desirable that the small portion of this slope forming its northern limit, and now comprising the military reserve, should also be under their jurisdiction; subject of course to its use being required for military purposes at any time. We would therefore beg to suggest that steps may be taken looking to the accomplishment of this end.

In the meantime it is suggested that that portion of the reserve known as Brock's Monument grounds, which is presently administered by the Government of Ontario, might advantageously be brought under the control of the Commissioners and some much needed works of improvement and reclamation effected. The outlook from these grounds is remarkably beautiful. Standing on the escarpment at an elevation of nearly 300 feet above the surrounding country, the eye commands a magnificent reach of the most highly cultivated lands in all Ontario, through which the noble Niagara River, resting after its mighty conflict with the "Munitions of Rocks" pursues its placid way to Lake Ontario, bearing on its broad bosom many a noble steamer and tiny craft, and shimmering in the sunlight like a ribbon of silver fringed with jasper. The traditions of the spot, its historic memories so dear to every loyal Canadian heart, and the great natural beauty of the place, alike demand, whether the matter be considered on patriotic or on æsthetic grounds, that proper care be taken not only of the grounds immediately around the monument but of the surrounding territory as well, and this can certainly be best accomplished under responsible control.

An interesting point, and one well worthy of notice, is the fact that notwithstanding the large number of visitors brought into the Park by the electric rail-

way—over 150,000—the carriage travel did not exhibit a falling off as had been generally anticipated, but on the contrary was more than double that of the preceding year, or 256,694 against 109,412 in 1892. The pedestrian travel was also in excess of the previous year. The total number of visitors to the Park in 1893 was 543,924 against 238,495 in 1892 and 272,485 in 1891. These figures show that the Canadian Park is now regaining its position as the chief centre of attraction and interest to the tourists who visit Niagara. The greater the tally of visitors, however, the greater the necessity for providing proper facilities for their convenience and accommodation, and it will be necessary to make a considerable expenditure for this purpose in 1894.

The Commissioners have now good grounds for expressing a belief that the Park revenues will soon be sufficient to meet all charges for coupon interest, as well as ordinary maintenance, and therefore consider it opportune at this time to urge the sanction of the Government to the undertaking of some of the works of reclamation and improvement which are the most urgently needed.

The receipts and expenditures for the year ended 31st December, 1893 are exhibited in the following summaries, the details of which will be found in the statements attached to the Superintendent's report.

RECEIPTS.

Receipts from sundry sales, etc.		\$66 50
“ photo privileges (5 months).....	\$625 00	
“ hydraulic lift tolls (5 months).....	543 25	
	<hr/>	1,168 25
“ island tolls (12 months)		2,559 55
“ Niagara Falls Park & River Railway Co., annual rent.....		10,000 00
“ elevator, restaurant and photographic privileges (7 months).....		4,783 33
“ Imperial Bank, interest on deposits ..		388 19
“ overdraft, Imperial Bank, Toronto, as at 31st December, 1893.....		35,721 90
		<hr/>
		\$54,687 72

EXPENDITURES.

Imperial Bank, being overdraft on 31st Decem- ber, 1892.....		\$15,673 79
Salaries and wages, including laborers' wages		12,097 99
Material and supplies		3,889 80
Commissioners' expenses		128 55
Coupon interest on bonds.....	\$21,000 00	
Interest on bank overdraft	1,897 59	
	<hr/>	22,897 59
		<hr/>
		\$54,687 72

From the foregoing statement it will appear that the expenditure for Park maintenance for the year was \$16,116.34, which sum includes the cost of several permanent improvements that should be charged to a capital account. The debenture coupons and bank interest on overdraft amounted to \$22,897.59, making a total outlay of \$39,013.93. The revenue receipts were \$18,965.82; consequently,

in order to pay the debenture interest, it was necessary to increase the bank overdraft during the year by the sum of \$20,048.11.

In the report which the Commissioners had the honor to submit last year, reference was made to the agreement entered into with the Canadian Niagara Power Company, by the terms of which agreement, in consideration of the right to use the water power of Niagara Falls in the Park, the sum of fifty thousand dollars was paid in to the Commissioners, and an annual payment of twenty-five thousand dollars provided for, commencing with the year 1895, and increasing by one thousand dollars a year after 1902, until the amount of rental becomes thirty-five thousand dollars per annum, at which sum it will remain for a long period of time. In the meantime, and until that rental is realized, the revenues will be little more than sufficient to meet the expenditure for ordinary maintenance, leaving the large sum required to pay debenture interest unprovided for.

Should the negotiations now being carried on under the authority of the Government for the acquiring of Foster's Flats, below the Whirlpool, be successfully closed, the funds to meet the amount determined on by the official arbitrators for that property will also have to be provided; and a considerable sum is urgently needed to carry out the works of improvement and reclamation, to which attention has already been drawn.

After a careful consideration of all these conditions and requirements, and in view of the extended territory now vested in them, the Commissioners recommend that the authority of the Legislature be obtained for the issue of debentures to the extent of \$75,000, these to run concurrently with the issue of 1887 and to bear the same rate of interest.

The realization from the sale of this additional issue of debentures would enable the Commissioners to pay off the indebtedness to the bank, make provision for all requirements essential to the care of the property, and also permit of payments being made to the sinking fund account, which have heretofore necessarily been deferred.

The Commissioners have no hesitation in making this recommendation in view of the substantial position, financially, which has already been secured to the Park by the several agreements they have entered into, and which provide for a permanent income sufficient for not only the maintenance of the property but for the interest on the existing and on the enlarged debenture capital, as well as the commencement of payments on account of the sinking fund, as the following estimate will show:—

ESTIMATE OF RECEIPTS AND EXPENDITURES AFTER 1895.

<i>Estimated Receipts.</i>		<i>Estimated Expenditures.</i>	
Canadian Niagara Power Co.	\$25,000 00	Coupon interest on bonds	\$24,000 00
Electric Railway Co	10,000 00	Maintenance of Park	15,000 00
Refreshments and other privileges	8,200 00	Payment on account of sinking fund ..	6,000 00
Carriage tolls on islands	1,800 00		
	<hr/>		<hr/>
	\$45,000 00		\$45,000 00

That this result has been attained without in any way burdening the Province is a matter for sincere congratulation, and the Commissioners trust that the amount of the debenture issue now asked for, which is necessary to tide over the Park until the enlarged income is available, will be readily granted by the Legislature. In this connection it should be pointed out that there is a very large amount of water power remaining unused between the Railway Suspension Bridge and the Whirlpool; and again, between the Whirlpool and Queenston. In

each case very large blocks of power could be developed, and doubtless the time is not far distant when capitalists will eagerly seek after these powers, and a substantial revenue may be expected therefrom.

In the appendix will be found the report of the Superintendent, and the financial and statistical tables usually submitted.

All which is respectfully submitted,

J. W. LANGMUIR,

Chairman.

JOHN A. ORCHARD,

GEORGE H. WILKES,

Commissioners.

APPENDIX.

REPORT OF THE SUPERINTENDENT.

To the Commissioners of the Queen Victoria Niagara Falls Park :

GENTLEMEN,—I beg to submit my report for the year ending 31st December, 1893.

Unlike the winters which have for five years immediately preceded it, the winter of 1892-3 was remarkable for its long period of cold weather, and the consequent accompaniments of ice and frozen spray. It was also noted for its magnificent ice bridge, the first since 1888, which formed on January 3rd and lasted for many weeks, attracting to Niagara Falls hosts of visitors, many times more numerous than in any year since the Park was established. The ice scenery in the vicinity of the Falls was often very beautiful, the accumulated masses of frozen spray on every twig or branch of the trees and shrubs near Table Rock, bending them over into all manner of graceful arches and wreaths, crowns and grottos ; while even the sturdy stems of the eupatoriums and golden rods, standing in defiance of storm and tempest, had each its wonderful accretion of gnarled and polished ice many times its natural size, perfect in whiteness and glistening in the sunlight like myriads of pearls wet with dew. In the gorge, the winter effects were also remarkably beautiful. At Table Rock the severe weather had the effect of shutting off some 500 feet of the extremity of the Horse Shoe Fall, revealing the dark face of the cliff under the famous "Sheet of Water." The freezing spray, driven by the fierce whirlwind of the Falls, attached itself to the bare cliffs in the form of great icicles or pendants, and hung in seriate array like mighty fringes of alabaster draped to the varying courses of the overarching limestone. This beautiful white drapery of dazzling purity, marvellous for its wealth of fantastic forms and glittering in the morning sunlight, was a constant source of wonderment and delight to the visitors who cared to don the waterproof suits and venture out on the ice mounds. In front of the mouth of the tunnel, by which visitors are conducted under the Falls in summer, fully twenty feet of solid ice had accumulated from the constant freezing of the spray, and this mass had to be pierced in order to make a passage way to the ice cone in front of the Falls.

The ice formations at the base of the American Fall were much larger and more perfectly formed than for many years, and when wreathed in the spray of the Fall made a charming picture when viewed from the Park.

ELECTRIC RAILWAY.

Active operations were early resumed on the electric railway, and the work pushed forward as rapidly as possible. The ballasting was completed throughout, and sidings put in, at stated distances between Chippewa and Queenston, including four in the Park proper. The erection of the power house was proceeded with as fast as the varying moods of the spray allowed of work being done at that point, and the extensive plants for the hydraulic and electric works were brought on the ground and got into position as rapidly as the importance of the work would admit of. At Queenston a steam plant was installed to generate electricity for working the cars on the grade up Queenston Heights and for some distance

towards the Falls. This power was ready for use before the main plant at the Falls could be depended on, and the cars were at first driven from that end of the line. The line was first opened for traffic on the 24th of May, the anniversary of Her Most Gracious Majesty's Birthday, but a full service was not put in until June.

The electrical and rolling stock equipment of the line is very good and fully up to the requirements of the Commissioners.

The permanent way in the Park, however, has not been properly completed, and several works which the Company have been required to perform are still in an unfinished condition; consequently that part of the Park on which the railway is located is in many places marred by objectionable features.

Doubtless one reason why more expedition has not been shown in fully repairing all damages caused by the construction of the railway, and in making all its works fully up to the requirements of the Commissioners, has been the great success of the enterprise, and the necessity for double tracking the line, which the Railway Company has declared to be essential to the safe and efficient handling of its numerous patrons. The question of double tracking is now under the consideration of the Commissioners, and no doubt ample measures will be taken to preserve the rights of the Park authorities to require the proper and satisfactory degree of completion by the Railway Company of all its works in the Park and on the whole line generally.

PARK PRIVILEGES.

Early in the season the Commissioners determined to lease the privileges in the Park for a term of years, the lease to include the elevator and "Under the Falls" business, in addition to the photographic and restaurant privileges hitherto under lease. In consequence of this, the elevator was taken over by the successful tenderers, Messrs Zybach and Brundage, on the 1st of June last, and the services of the subordinate officials required in connection with the handling of the business were transferred to the new lessees, thus effecting a saving in the maintenance expenses. By the terms of the lease, which runs for ten years, with right of renewal under certain conditions, the lessees, Messrs. Zybach and Brundage, have to keep in good repair the elevator and its subordinate works, as well as the large stone structures known as the Table Rock House and Museum buildings, which form so striking a feature of the Park at its most attractive point. In each case these buildings have been allowed to go from year to year without repair, owing to the necessity for strict economy in expenditure, and very extensive repairs and renewals were absolutely necessary in order to preserve the integrity of these imposing structures.

Immediately on the execution of the lease active measures were taken to renovate the Table Rock House, both inside and out, and also to make some necessary repairs to the elevator. These works were executed in a satisfactory manner, and both building and elevator are now in good order and condition.

In the Museum building, the rear part of which was reserved for Park purposes, a very elaborate system of repair and renewal was determined on by the lessees, in order to make the building suitable for a first-class restaurant. With the sanction of the Commissioners, extensive changes were made in the arrangement of the rooms, and those set apart for the use of the public were finished in polished hard woods and ornamented in the most artistic manner. On the principal facade the heavy wooden pilasters of the ground floor were removed and smaller but substantial oak pillars were substituted, and the balcony

extended on the north. All the interior furnishings are now complete, and only the painting of the exterior woodwork requires to be done in order to fully complete this important addition to the attractions of the Park.

The rear portion of this building was reserved in the lease in order to provide suitable shelter room for the pic-nic parties who frequent the Park in mid-summer. Of course this portion of the building was out of repair, in harmony with the balance of the structure, and a considerable expenditure had to be incurred in order to make it weather proof. Facilities had also to be provided for the better accommodation of the largely increased number of visitors brought to the pic-nic grounds by the electric railway. Sanitary conveniences on a more extensive scale were needed, and an abundant supply of hot water for excursions numbering several thousands, had to be provided, and machinery therefor devised.

A good beginning was made during the past year towards the accomplishment of these several works, but much remains yet to be done in order to afford all the facilities which it is desirable to furnish to visitors to the Park.

The grounds hitherto used for pic-nic purposes are now found to be much too small, and additional space must be reserved and prepared before the next season opens up. Fortunately this can be done with comparatively little expenditure of time or money, and a reasonably extensive area allotted to this use.

As much of the popularity of the Park as a pic-nic resort necessarily depends upon the accommodations given to church, sabbath school and society excursions, and the electric railway now affords every facility for access to the Park from any rail or lake point in Ontario, it will be very manifest that every reasonable effort should be made to retain our present position in the favor of the travelling public by providing shady grounds, tables and benches, and an abundant supply of hot and cold water at some convenient point; with space for children's games at some short distance, and away from dangerous places.

BRIDGES.

The bridges have been maintained in good repair during the year. In addition to the needed renewal of timbers, a sidewalk was made over the Suspension Bridge near Clark Hill, and has proved a decided improvement permitting of visitors passing across without danger from vehicles. A similar walk will be put on the other Suspension Bridge in 1894. The Cedar Island Bridges should be made to carry two carriages abreast in addition to the sidewalk, and the length of these structures can be shortened with great advantage and at comparatively little initial expense. The saving in annual repairs would more than justify this outlay.

RUSTIC SHELTERS AT VARIOUS POINTS.

Owing to the continued necessity for strict economy in the expenditure of money, which has been a characteristic of the last few years, no effort could be made to provide much needed shelters at several points in the Park, notably at Inspiration Point, and at Tempest Point near the Gardener's house. If at all possible, substantial structures should be placed at these delightful spots without delay. A large increase should also be made to the number of rustic seats for visitors. Some of those we have in use are many years old and they have been so often repaired that they are now past mending. The rustic seats are much more in harmony with the place than combination ones of iron and wood, and do not cost so much.

PROTECTION OF SHORES.

At many points along the bank of the river above the Falls, where the trend of the stream is towards the shore, crib-work protections have been placed in the days gone by to prevent the ice from damaging the banks by erosion. Much of this work has become useless by reason of age, or by the bottom on which the cribs rested being undermined by the swift waters, or as in some cases by the ice cutting through the outer timbers of the crib-work and allowing the rock filling to be lost. At several points the banks are now being rapidly worn away for want of a protection of this kind, and an immediate outlay of a considerable sum is now needed to save them from further, and perhaps irreparable, damage.

LANDS OUTSIDE THE PARK PROPER.

In addition to the 154 acres of land in the Park proper, there is a much larger area under the control of the Commissioners, being the strip of land known as the "Chain Reserve" along the west bank of the Niagara River from the Village of Fort Erie, on the south to the Town of Niagara on Lake Ontario, and covering nearly the whole of this distance of some thirty-five miles. Additional to this there is a very considerable area of broken land between the Falls and Queenston Heights, comprising the talus or rocky slope under the cliff. At one point this talus expands into a very uneven bit of ground, known as Foster's Flats, remarkable for the richness and variety of its flora. Many years ago a portion of these flats was alienated from the Crown. Steps are now being taken to recover possession and thus make complete the control of the Commissioners in and to the whole of this interesting portion of the river bank. This narrow strip of territory, comprising some 320 acres in area, is a very valuable adjunct to the Park, and when some cleaning up is done, and a reasonable measure of restoration and planting attempted, the value of the property as a whole will be much enhanced.

At many points along the lands just described, the erosion of the shore by the river, especially at periods of high water and storm, is very manifest, and a scheme for its prevention will soon have to be considered if any part of the "chain" is to be preserved.

VISITORS TO THE PARK.

From the tabulated statement appended hereto it will be seen that there was a very great increase in the number of visitors to the Park in 1893. This is accounted for in several ways. The Ice Bridge brought great numbers in the winter months, and the electric railway swelled the tally by over 15,000 in the last seven months of the year, while the World's Fair traffic extended the season well on into November.

Altogether we had some 543,924 in 1893, against a total of 233,495 in 1892. A comparison of the numbers of visitors for each period of three months will be interesting and instructive. It is as follows :—

	1892.	1893.
First quarter	15,899	55,732
Second "	51,449	97,427
Third "	132,032	308,584
Fourth "	34,115	82,181
	<hr/>	<hr/>
	233,495	543,924

While there was an increase for every month of the year except December, the greatest absolute increase was in August when we had 65,000 more than the year before, and the greatest relative increase was in January, when we had between five and six times as many as in 1892. Notwithstanding these numbers good order was preserved throughout.

TREES AND SHRUBS.

A very small selection of trees and shrubs was added in the spring, and a few herbaceous plants introduced. A considerable number of cuttings from the better kinds of shrubs now in the Park, and also some obtained by exchange, were transferred from the nursery and made to fill up some bare spots. We have a stock of others ready for planting out in the coming spring, but what is required most urgently is a good collection of the various kinds of ornamental trees and shrubs not now found in the Park, but, which, from the favorable conditions here found, should flourish under the humid atmosphere of the Park. There are many bare spots which require filling up, and as this work has been put off from year to year waiting for more auspicious times, it may not be inopportune to express a hope that something worthy of the name may be attempted in 1894.

The whole respectfully submitted.

JAMES WILSON,
Superintendent.

QUEEN VICTORIA NIAGARA FALLS PARK,
NIAGARA FALLS, February 24th, 1894.

QUEEN VICTORIA NIAGARA FALLS PARK.

Statement shewing the number of visitors and the money received at the Park for the year 1893.

1893.	Number of carriages entering Park	Number of visitors.		Receipts from visitors.			Receipts from—				
		In carriages and Electric Railway.	Pedestrians.	Total.	At Elevator.	At Islands.	Total.	Rentals of privileges.	Sundries.	Interest on Bank deposits.	Total Receipts.
					\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
January	6,400	24,227	6,674	30,901	79 00	27 75	106 75	125 00	.....	.....	231 75
February	2,928	9,860	6,875	16,735	91 50	57 00	148 50	125 00	.....	.....	273 50
March	1,275	3,485	4,611	8,096	38 25	12 00	50 25	2,625 00	5 00	.....	2,680 25
April	349	3,774	5,933	9,707	84 25	14 50	98 75	125 00	.....	.....	223 75
May	3,564	12,314	9,795	22,109	250 25	160 00	410 25	125 00	.....	179 88	715 13
June	8,419	42,576	23,035	65,611	The elevator was leased on 1st June. Its receipts after that date being inclu ted in "rental."	374 25	374 25	3,183 33	16 00	.....	3,573 58
July	10,089	79,332	24,375	103,707		450 75	450 75	2,050 00	.....	.....	2,500 75
August	10,019	92,464	26,643	119,107		403 25	403 25	.....	.....	.....	403 25
September.....	11,251	69,690	16,080	85,770		537 80	537 80	2,500 00	8 00	.....	3,045 80
October	8,335	50,382	10,309	60,691		360 00	360 00	2,050 00	12 00	.....	2,422 00
November	2,398	11,198	4,323	15,521		122 75	122 75	.....	8 00	208 31	339 06
December	894	3,436	2,533	5,969		39 50	39 50	2,500 00	17 50	.....	2,557 00
Totals.....	65,921	402,738	141,186	543,924	543 25	2,559 55	3,102 80	15,408 33	66 50	388 19	18,965 82

JAMES WILSON,
Superintendent.

AGREEMENT FOR DOUBLE TRACKING THE NIAGARA FALLS PARK AND RIVER RAILWAY, 27th MARCH, 1894.

This agreement, made the 27th day of March, one thousand eight hundred and ninety-four :

Between the Niagara Falls Park and River Railway Company, hereinafter called the Railway Company, of the First Part ;

And the Commissioners for the Queen Victoria Niagara Falls Park, hereinafter called the Commissioners, of the Second Part.

Whereas, the Railway Company propose to double track their present single line of electric railway between Queenston and Chippawa, and have applied to the Commissioners to consent to such work in pursuance of the Act incorporating the Niagara Falls Park and River Railway Company (55 Victoria, Chap. 96) and schedule B thereto ;

And in pursuance of such application the parties hereto have agreed, subject to the approval of the Commissioner of Public Works of Ontario, that the said single line of electric railway shall be made a double track electric railway between Queenston and Chippawa, except at certain points, in accordance with the terms, agreements, provisions and covenants contained in these presents and in the memorandum hereunto annexed, which, with the plans relating thereto, are hereby declared to be and are made part and parcel of this contract ;

And whereas, the present single line of railway is located or is intended to be located in accordance with the plans of the said line of single railway submitted by the Railway Company to the Commissioner of Public Works, on the eighth day of April, 1892, accompanied by duly identified specifications, dated fourth December, 1891, and deposited in the Department of Public Works, which plan or plans, specifications and matters so submitted to the Commissioner of Public Works received the approval on the said eighth day of April, 1892, of the Honorable Richard Harcourt, Acting Commissioner of Public Works, in the terms of a memorandum in writing, signed by him on the said eighth day of April, 1892, which said plans and specifications so approved as aforesaid relate to the location of the said present line of single railway, and in so far as applicable are to be taken in connection with the works and matters appurtenant thereto, to be done and completed, as the doubling of the said single line of railway in the manner hereby agreed to be done ;

And whereas the draft of the memorandum hereto annexed was, on the 15th day of March inst., submitted jointly to the Commissioner of Public Works of Ontario in the person of the Honorable Richard Harcourt, a member of the Executive Government of Ontario and Acting Commissioner of Public Works, by the President and Representatives of the Railway Company, and by John W. Langmuir, Chairman of the said Commissioners, for the consideration and approval of the said Commissioner of Public Works ;

And the said Acting Commissioner having directed that upon the said draft memorandum so submitted to him with certain changes made being embodied, and plans relating thereto, together with a proper agreement duly executed by the Railway Company and the

Commissioners, under their respective corporate seals, containing proper covenants and stipulations as he should deem proper for the due and satisfactory completion of the works in the said memorandum contained, and submitted to him (with the said changes being duly embodied therein) the consent and approval of the Commissioner of Public Works to the location and construction of a double track to be completed in accordance with such agreement, together with the other works contained in the said memorandum, and plans hereinbefore mentioned, would be signified by endorsing such consent on the said agreement under the proper hand of the Commissioner of Public Works ;

And whereas these presents have been prepared and executed in pursuance of the matters hereinbefore recited :

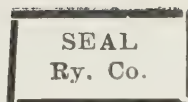
Witnesseth, that in consideration of the matters hereinbefore recited the Railway Company covenant with the Commissioners in manner following, that is to say :

1st.—That the Railway Company will execute, construct and complete all and singular the works in the memorandum hereunto annexed mentioned and intended to be performed, executed and constructed and completed in the best and most workmanlike manner, in the manner required by and in conformity with the said memorandum, and the plans and drawings referring thereto, which said memorandum, plans and drawings are hereby declared to be and are made part and parcel of this contract, and to the complete satisfaction of the Commissioner of Public Works of Ontario for the time being.

2nd.—And no alterations, omissions or deviations from the works described in the said memorandum and as shewn on the plans (if shewn) therein referred to, shall be permitted unless such alterations, omissions or deviations shall have been first approved by the Commissioners by a resolution of the Board of the Commissioners communicated to the said Railway Company in writing, signed by the Chairman of the Commissioners.

3rd.—That in case of any of the works or any part or parts thereof to be done, executed and completed by the Railway Company under the first clause of this contract shall, either in the progress of the work being done by the Railway Company or before its final completion to the satisfaction of the Commissioner of Public Works as hereinbefore provided, be not proceeded with or done to the complete satisfaction of the Commissioners, the Railway Company will, within eight days after written notice shall have been given to them by the Commissioners of the objections, omissions or matters charged to be improperly done or omitted to be done, duly execute or complete the same in a good, sound and workmanlike manner, to the complete satisfaction of the Commissioners, if the said works, omissions or matters in said notice required to be done are in accordance with the said memorandum hereto annexed and the plans relating thereto as aforesaid or such as should be done in relation thereto.

Signed, sealed and delivered in the presence of
 (Sgd.) WM. T. JENNINGS. (Sgd.) ED. B. OSLER,
 President.
 (Sgd.) JAMES WILSON, (Sgd.) J. W. LANGMUIR,
 as to signature of Chairman.
 J. W. Langmuir.



Memorandum of Works to be performed by the Niagara Falls Park and River Railway Company in connection with the double tracking of the line and the proper completion of the works required under the Agreement with the Queen Victoria Niagara Falls Park Commissioners of December 4th, 1891, and of the "Act of Incorporation."

For convenience the line will be divided into four sections, viz :—

(1.) From Chippawa to the south-east limit of the Park, a distance of 1 and 3-10 miles. (See plan A.)

(2.) The Park Proper, or from the south-east limit of the Park to the Clifton House, a distance of 2 miles. (See plan "B." and amended plans Nos. 1, 2 and 3.)

(3.) From the Clifton House to the north limit of the Town of Niagara Falls, 2 and 2-10 miles. (See plan "B." and amended plans Nos. 3, 4 and 5.)

(4.) From north limit of the town to Queenston, 6 miles. (See plan "A.")

The works in these several sections which are required to be done will be separately defined.

Section 1.

Location.—The new track to be located as shewn by a thin red line on plan "A." herewith, the distance between the tracks to be eight (8) feet, or thirteen (13) feet to centre.

Grading.—The grading, ditching, etc., etc., to conform to the gradients of the existing track. All cuttings and embankments to have the slopes cleanly cut to a pitch of one and a half horizontal to one vertical, and in all cases where material is borrowed or wasted, the ground shall be levelled off and left smooth and even, and with the slopes of all embankments or cuttings to be sown with grass seed.

Cattle passes and culverts are to be extended sufficiently to meet the requirements of the case.

Permanent Way.—All rails, fittings, guard rails, ties, ballasting, etc., to be equal in quantity and quality to the existing work.

Electrical Equipment.—The centre pole system will be adopted in this portion of the line, and the brackets, wiring, etc., shall be patterned after that now in use.

Section 2.

Through the Park proper double tracking may be laid, excepting at the following points, where there shall be a single track only :

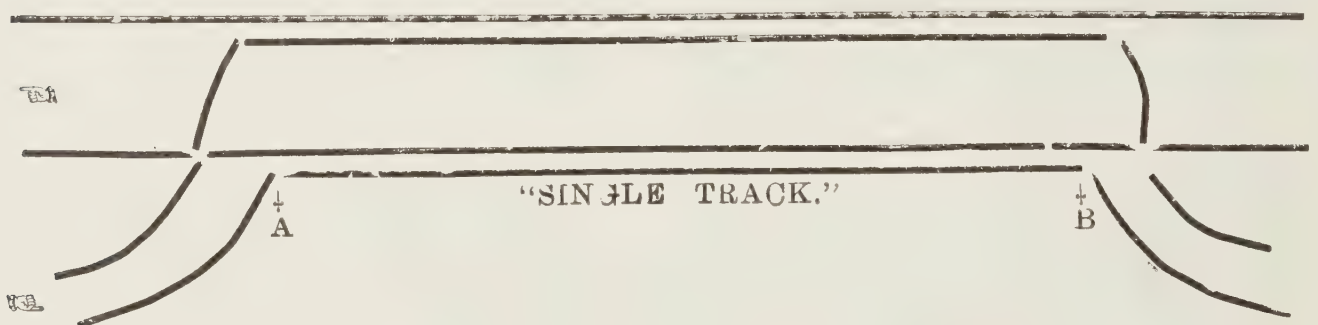
("a'") From a point one hundred and forty (140) feet south of the south side of Table Rock House to a point one hundred and twenty (120) feet north thereof, or a total distance of two hundred and sixty (260) feet.

("b'") From a point twenty-five (25) feet south of the south side of the restaurant building to a point four hundred and ten (410) feet north thereof, or a total distance of four hundred and thirty-five (435) feet.

Should it be shown that the operation of a single track at the points above specified is dangerous to the public, the railway company shall have the right to place a double track to the rear, on west side, of the buildings referred to, viz: The "Table Rock House" and the "restaurant building," in which case the present single track in front thereof shall be removed.

In each case the distance given is to cover the space where there shall be one track only, the leads to be beyond this distance in all cases.

At the several points where single track is required the railway company may either lead the second track into one pair of rails, by means of switches, or carry the two pairs of rails continuously over the distances specified, but laid as closely together as the flanges will permit; thus in the figure the distances between "A" and "B" shall be considered as single track :



Crossing the bridges on Dufferin Islands the distance apart of tracks to be reduced to suit the existing bridge structures.

The location of the second track in the Park proper shall be as indicated on the large scale plan marked "B," but with certain amendments thereto, as defined on the several plans marked numbers 1, 2 and 3, and more particularly described as follows :—

Commencing at the southeast limit of Park, the second track shall be located on the landward side of existing one as far as the Dufferin Islands bridge. Across the Dufferin Islands the present track to be shifted to one side sufficiently to permit of the tracks being laid as above specified.

From the bridge at Clark Hill to a point opposite the gravel pit the second track shall be on the landward side of the present one,

which will remain in its present location.

Between the gravel pit and the head of Cedar Island the tracks may be adjusted to suit the siding at the "Gap," as shown on the plan.

From the middle of Cedar Island to the north end thereof the present track shall be slewed over towards the river, a distance of four feet, and the second track placed on the landward side. From Cedar Island to Table Rock the tracks to be placed as shewn on plan No. 1.

North of Table Rock House the present siding will be extended towards the restaurant building until the switch is within twenty-five (25) feet of the south side thereof. From this point there shall be a single track for a distance of four hundred and thirty-five (435) feet, or to a point beyond the road crossing, as shewn on plan No. 11.

North of the roadway crossing, the existing and new tracks shall be adjusted as shown on plan number 2; they must be located so as to allow a clearance of twelve (12) feet between the present railing along the edge of the cliff and the nearest rail at the narrowest points.

Near the north end of the Park the tracks are to be located as shown on plan No. III.

No sidings or cross-overs are to be laid within the Park without the consent of the Commissioners being first had in writing; and all existing sidings are to be removed excepting at such points as they will form a part of the double track, as has been particularly described and shewn on plans.

Grading, etc.—The formation level of second track in the Park shall be the same at all points as that of existing one; the slopes of all cuttings and embankments are to be trimmed to the proportion of 1 and $\frac{1}{2}$ horizontal to 1 vertical, excepting on the Burning Spring hill, where the slope shall be not less than 1 and $\frac{1}{4}$ horizontal to 1 vertical. The face of the slopes of all cuttings and embankments, excepting that of the Burning Spring, from the ties to the natural ground level, shall be sodded with newly cut sods, cut in large strips and thoroughly pegged with long hardwood pegs. This sodding shall be done immediately after the slope shall have been put in good order and condition, and not later than the 1st July, 1894; and the grass on all such slopes must be kept by the railway company close cut at all times, to the full satisfaction of the Park Commissioners. The slope of the Burning Spring hill shall be sown with good grass seed and planted with thrifty foliage trees and evergreens.

Five feet of the space between tracks shall be levelled off even with the top of ties and covered with sods, and maintained in a thoroughly lawn-like condition at all times.

The side slope of cutting east of the Dufferin Gate must not interfere with the driveway along the top of the bank at any point; but a minimum space of twenty-four (24) feet must be preserved intact at the nearest approach to the Park boundary of the top of the finished slope.

Should the prescribed angle of slope, if carried from formation level, curtail this space, sufficient land must be secured and deeded to the

Commissioners as shall at all times afford the full width of twenty-four (24) feet for driveway purposes.

Roads and Paths.—Where the railway crosses the Park driveway on Dufferin Islands, the embankment must be widened out sufficiently so as to permit of a carriage turning completely around, clear of the rails, without danger to the occupants thereof.

The footpaths crossing the railway on Islands must be graded and gravelled to the satisfaction of the Park Commissioners. The portion of the driveway occupied by the second track, from the gardener's house to the gravel pit, to be compensated for by widening out the driveway on the landward side to the full width, clear of the ballast, of eighteen feet, and forming and macadamizing and rolling the surface thereof to a true and hard finish. The slopes of cutting made on the south side of driveway by this widening to be trimmed and sodded.

Driveway on Cedar Island.—Where the driveway on Cedar Island is encroached upon similar compensation must be provided, and the space between the rails of the second track shall also be macadamized and rolled and made fit for driving over for such distance as may be determined on by the Park Commissioners. The roadway at north end of Cedar Island, when widened as above described, shall be carried over the original channel of river to the main land by a suitable bridge structure to be erected by the railway company to the satisfaction of the Commissioners. All driveways and pathway crossings now in existence, or which hereafter may be required by the Commissioners, must be planked the full width of the space occupied by the tracks, and of such lengths as may be approved by the Park Commissioners, and the crossings maintained in good order and condition at all times.

Gravel Pit.—The gravel pit track to be removed at once and the sides of pit sloped off neatly to an even pitch. A supply pipe of sufficient dimensions to maintain a full head of water, and not less than eight inches in diameter, to be laid from the river at the iron railway bridge at Clark Hill to the gravel pit, and an overflow of equal dimensions to be laid from the pit to the river adjoining; the bottom of pit to be graded evenly and the boulders either removed or made to form an island in the centre.

Dam at Channel Inlet.—The dam placed at the channel inlet to Cedar Island to be removed and the inlet cleared of the debris. A proper outlet shall also be provided by the railway at the north end of Cedar Island, so as to permit this branch of the river to flow on in its natural channel.

Permanent Way.—The permanent way for the new track to be generally of a similar character to that of existing one: Ties to be eight feet in length, of sawn cedar and placed two feet apart centres; stone ballast only to be used, and the width occupied by the ties in each of the two tracks over that portion or portions of the line which may be required by the Commissioners to be covered with a top dressing of finely broken stone to a thickness of two inches above the ties and evenly spread, and the surface blinded with stone that shall pass through a half inch ring. The space between the ends of the ties of the two tracks to be levelled and sodded.

Cattle Guard.—A steel cattle guard to be put on new track at north limit of Park.

Ferry Crossing.—Where the tracks cross the road leading to the "Maid of the Mist" Ferry, the road must be graded up to an even and satisfactory slope with finely broken macadam, and the tracks planked over even with rails to provide a crossing of twenty-four feet along the railway.

Surplus Grading.—At any points where grading has been done or material placed in excess of the actual requirements of railway embankments, it must be removed, and the original ground resodded, and left in good condition.

Electrical Equipments.—The iron poles will in nearly all cases have to be taken up and replaced in new positions. In replacing the poles the concrete packing shall not be carried above level of centre of ties, good soil being spread evenly above to permit of sods being maintained around poles on an even level with balance of work. Where the poles are at present outside of the grading of the railway when finished, the excavations made therefor are to be well filled up and sodded over evenly with surface of adjoining ground.

Iron poles are to be substituted for the wooden ones now carrying feeder wires at power station.

Paint Poles.—All poles are to be painted afresh when properly in position, and left truly plumb and complete in all respects. All guy or straining wires must be so placed as not to obstruct travel on roads or paths.

Section 3.

Double Tracking Opposite Town Front.—In front of the town double tracks may be laid over the whole distance, excepting at the Clifton Suspension Bridge, where there shall be single track only, for a distance of two hundred and fifty feet south of the centre line of the Bridge and fifteen feet north of the centre line of Bridge or a total distance of two hundred and sixty-five (265) feet.

Location of Second Track.—Commencing at the Park boundary, the new track shall be placed on the river side of existing one until opposite the north end of the Clifton House, where it will become and continue single track to the Bridge, as before mentioned, and as shewn on plan No. 3. North of the Bridge the second track will be laid on the landward side of the present one as far as Seneca Street siding, where the two tracks will form part of the system, as shown on plan No. 4, the leads on either side being lengthened out to ease the curvature, and the space between the tracks being narrowed in.

Queen Street.—Beyond the Seneca Street siding the double track will continue on the landward side of existing track to opposite Queen Street, where both tracks shall be deviated towards the river as indicated on plan No. 5. From this deviation the second track shall continue on the west side of the present track as far as the Cantilever Bridge, where the two tracks shall be located as shown on plan "B."

From Bridge Street Station northwards for about a quarter of a

mile the second track shall be placed on the river side of present one and from thence to north boundary of the town the new track shall be to the westwards, as shown on plan "B."

Width Between Tracks.—From the Park limits to the north boundary of the town the distance between the tracks shall not be more than eleven and one-half feet centre to centre, excepting at points where there are sharp curves, where the space between tracks may be made six inches wider.

Grading.—The formation level throughout shall be the same as that of present track. The width to be graded covering the space between tracks and the space required for the new track.

New Roadway.—In addition to this track space the Railway Company shall grade the roadway to the west of the new track for a width of eighteen feet from the line of ties and to a pitch of three inches from the level in the width of eighteen feet; the surface grading to be level with the base of ties where the roadway shall adjoin the track. This grading for roadway to be made the whole distance of two and two-tenths miles covered by this section of the line; all side slopes of cuttings or embankments to be trimmed true to line and level and graded 1 and $\frac{1}{2}$ to 1.

Ballast.—Ballasting of second track throughout to be of gravel on broken stone ballast, well packed around ties and even with the top of them. Space between tracks also to be ballasted up evenly therewith.

Finish of New Track.—The space between the two tracks and the width occupied by new track to outside or westerly line of the ties must be macadamized up to and maintained even with the level of top of rails and rolled suitable for driveway purposes, where the driveway may be encroached upon.

Macadamized Roadway.—In addition to the above works the Railway Company shall macadamize the roadway bed, when graded as aforesaid, to a width of sixteen feet from line of ties, and for a length of one-half the total distance covered by this section of the line, or say one and one-tenth miles from the Clifton House northwards. The macadam to be rolled and even with the top of the rail at the east side and sloping down to the west side of the roadway three inches from a level line, in order to drain the surface water therefrom.

The above described work of grading for and macadamizing one-half of the length of the roadway for carriages, shall be begun and carried on with despatch and in such a manner as not to interfere with the ordinary travel over said road, and shall be completed not later than the first day of July, 1894, and shall be to the satisfaction of the Park Commissioners, and of the Honorable the Commissioner of Public Works.

Sidewalk.—Where it is necessary in the performance of these works to interfere with or change the sidewalk, the same shall be re-laid in position satisfactory to the Commissioners and left in good order and condition.

Cross Drains.—A sufficient number of cross drains must be put in

to effectually carry off the surface water. Should the above described works interfere in any way with the present side ditches on the road, full compensation must be made by providing new and satisfactory ditches, and where the space between the tracks and the present fences of adjoining properties is insufficient to permit of an open drain being laid down, a covered one of size and material satisfactory to the Park Commissioners must be put in and properly connected with the cross drains, so as to preserve the present drainage.

Iron Railing of Fence to be put in Good Condition.—The iron railing along the edge of the cliff shall be put in good order and condition, and where it shall have been in any way interfered with it shall receive two good coats of oil and lead paint.

Location of Poles.—Over this section of the railway, from the Clifton House to the Railway Suspension Bridge, the poles carrying the wires shall be on the outside or cliff side of the tracks, and straining posts shall be placed opposite to these and on the west side of the roadway in such positions as may be pointed out on the ground by the Park Commissioners. The trolley wires shall be suspended over the two tracks from straining wires running from the main posts to straining posts.

All the electrical work to be the best of its class and sufficient for the duty required of it.

Section 4.

This section may be sub-divided into two parts, viz., from the north limit of the town of Niagara Falls to the Military Reserve at Queenston Heights ; and secondly, through the Military Reserve grounds at Queenston and including the village of Queenston.

Sub-Section 1.—As to the first described section, or from the town of Niagara Falls to Queenston Heights, the following described works shall be done and performed by the Railway Company, viz. :

Location of Double Track.—The double track throughout this section shall be, generally speaking, on the west of the existing line of rails, excepting through the lands purchased from Sir David Macpherson, where the new track may be placed on the east side of the present one if found desirable to lighten the work of excavation at that point.

Change of Location.—With respect to the proposed change of location of the existing track and the building of the new one at Smeaton's gully, approval is withheld pending the submission of plans and specifications shewing precisely the nature of the changes proposed; together with drawings of the bridges, piers, abutments, etc., as required under the Agreement of December 4th, 1891, and the Act of Incorporation. The new track to be placed at a distance of eight feet from existing one, or say thirteen feet centre to centre.

Grading.—The grading, ditching, etc., etc., throughout are to conform to the lines, levels and requirements of the present track. The space between the two tracks must be graded evenly with the sub-grade level of track, and all farm crossings or other work required be made complete in all respects. All cuttings and embankments are to have

the slopes cleanly out to a pitch of one and one-half horizontal to one vertical, and in all cases where material is borrowed for such embankment or wasted from such cuttings, the surface of the ground so interfered with shall be levelled off and left smooth and even, and, together with the slopes of all embankments or cuttings, be properly covered with good soil and sown with grass seed.

Cattle Passes and Culverts.—Cattle passes and culverts are to be extended sufficiently to meet the requirements of the case.

Permanent Way.—The rails, fittings, guard rails, ties, ballasting, etc., etc., shall be equal in quality and quantity in each case to that of the existing track.

Electrical Equipment.—The centre pole system will be adopted in this portion of the line, and the brackets, wiring, etc., shall be patterned after that presently in use.

Sub-Section 2.—Respecting the portion of the line located through the Military Reserve at Queenston Heights and in the village of Queenston, approval to lay a double track is withheld pending the reception of a proper license of occupation from the Dominion Government to the Park Commissioners. When such license of occupation is received permission to lay double track will be granted on the following conditions, viz., the location of the second line of rails to be as shewn on plan "A" herewith. No trees that are not actually on the road bed, or on the side slopes of graded embankments or cuttings shall be cut or maimed without the express sanction of the Commissioners.

All slopes of cuttings or embankments are to be trimmed properly and sown with grass seed. The drive-way leading from the highway to Brock's Monument shall at the crossing be put in good condition for driving over; approaches to the tracks to be graded to an easy slope and well macadamized and rolled, and a wide plank crossing provided. Where pathway from the Monument leads down the slope to the village, a suitable crossing over the tracks to be provided, including stairways on the graded slopes and a plank walk over tracks.

All debris deposited upon the lands of the Reserve by the Railway Company in excess of the works actually required for the purposes of the railway shall be removed, and the grounds left in as good order and condition as originally found by the Railway Company.

All the above described works shall be done and performed by the Railway Company to the entire satisfaction of the Honorable the Commissioner of Public Works and of the Park Commissioners, and with the exception of the several works for the performance of which approval is in the meantime withheld, all works above described and shewn on plan or intended to be so described and shewn shall be fully performed on or before the fifteenth day of June, 1894.

Should any of the above described works be unfinished or be considered by the Park Commissioners to be not finished to their satisfaction on the above mentioned date, the Park Commissioners reserve the right, on giving one week's notice in writing to that effect to the Secretary and the Manager of the Railway Co., to go on and carry out the several works to their satisfaction and to collect the cost of performing the said works from the Railway Company.

Niagara Falls, December 12, 1893.

JAMES WILSON, Superintendent.

It is understood that nothing contained in this agreement or memorandum shall interfere or prejudice the Railway Company's rights as set forth in the original Agreement and Act of Incorporation.

(Sgd.) J. W. LANGMUIR, Chairman,

Queen Victoria Niagara Falls Park Commissioners.

(Sgd.) E. B. OSLER, President,

Niagara Falls Park and River Railway Company.

Toronto, 28th March, 1894.

I, the Honorable Richard Harcourt, Acting Commissioner of Public Works for Ontario, do consent and approve of the within Agreement and the Memorandum annexed thereto, subject to the sufficient quantity of land east of the Dufferin Gate and top of the bank, agreed to be deeded to the Commissioners for the purposes of affording full width for driving purposes, as stated in the 5th page of the Memorandum, being duly conveyed and deeded to the said Commissioners within three days hereof—the sufficiency in quantity and area to be such as the Park Superintendent shall determine.

Witness my hand this 28th day of March, 1894.

(Sgd.) RICHARD HARCOURT,
Acting Commissioner of Public Works.

AN ACT RESPECTING THE QUEEN VICTORIA NIAGARA FALLS PARK.

STATUTES OF THE PROVINCE OF ONTARIO.

[CHAPTER 13]

Assented to 5th May, 1894

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :—

Power to issue \$75,000 additional debentures for improvements

50 V., c. 13, s. 7

1. Subject to the debentures issued and secured under section 7 of The Queen Victoria Niagara Falls Park Act, 1887, the Commissioners of the Queen Victoria Niagara Falls Park, may from time to time, with the approval of the Lieutenant-Governor in Council, issue further debentures to an amount not exceeding in all \$75,000, for necessary park improvements and purchase money of lands to be acquired by the issue of debentures. The appropriation and application of the proceeds, the form and effect of the debentures, their payment with interest, as also the security, guarantee and negotiability thereof shall be as provided by said section 7 with respect to the debentures therein mentioned.

Agreement for extension of electric railway

2. The Commissioners and The Niagara River Falls Park and River Railway Company may enter into an agreement to extend the existing Electric Railway from Chippawa along the bank of the river Niagara southerly to a point on the said river not exceeding two miles from Chippawa.

Location and mode of construction of extension.

3. Such agreement shall provide for the location and mode of construction of the said railway, and may include matters similar to such as are contained in the agreement of 4th December, 1891, between said parties, and in the Act passed in the 55th year of Her Majesty's reign, chapter 96, validating said agreement, and may be on such terms and conditions as the Commissioners and the Railway Company agree on.

Approval of Lieutenant-Governor in Council.

55 V., c. 96.

4. Such agreement shall have no force or effect without the approval of the Lieutenant-Governor in Council, and on such approval the railway company may exercise in respect of such extension, the powers exercisable by the said Railway Company in respect of the construction and operation of the Electric Railway between Queenston and Chippawa under the said Act 55 Victoria, chapter 96, and in accordance with the limitations therein contained, so far as the same

may be consistent with the agreement aforêsaïd.

5. The Lieutenant-Governor in Council may at any time or from time to time, by Order in Council, vest in the Commissioners, to be held for the purposes of the park and subject to any conditions which may be imposed by the Order in Council, any part or portions of the foreshores or bed of the river Niagara or lands covered with water in the said river Niagara, which do or doth lie in front of the lands vested in the Commissioners by section 3 of The Queen Victoria Niagara Falls Park Act, 1887, and which at the time of the Order in Council may be the property of Ontario, which foreshores, bed of the river and lands so vested shall thenceforth form part of the park and be subject to the control of the Commissioners like other park lands.

Foreshore and bed of Niagara River may be vested in Commissioners

50 V., c 13.

6. The Commissioners may empower the Clifton Suspension Bridge Company to work cars by any power, except steam, to and from their proposed new bridge across the chain reserve, subject to any lawful order of the Railway Commissioners of the Privy Council of Canada in that behalf, and subject to the rights of or agreement with the Niagara Falls Park Railway Company.

Operating cars across the Clifton Suspension Bridge

7. Any agreement between the Commissioners and the said Clifton Suspension Bridge Company which, if made hereafter, would be authorized by the preceding section, and which may be made before the passing of this Act, is confirmed as if made after the passing of this Act.

Confirmation of agreements between Commissioners C. S. B. Co.

8. The Commissioners may also, upon terms to be approved by the Lieutenant-Governor in Council, grant to the Clifton Suspension Bridge Company, or any other duly incorporated bridge company, any rights over or in respect of lands held by the Commissioners which may be required and agreed on for the purposes of building any new bridge over the Niagara River, or of confirming the present occupation of land by any bridge companies now existing.

Granting rights over lands to bridge companies.

9. This Act does not authorize the granting of any rights for the said purpose through the lands vested in the Commissioners by section three of The Queen Victoria Niagara Falls Park Act, 1887, the same being the lands constituting what is sometimes called the Park proper.

Rights not to be granted in park proper

AGREEMENT

BETWEEN THE COMMISSIONERS OF THE QUEEN VICTORIA
NIAGARA FALLS PARK

AND THE
CLIFTON SUSPENSION BRIDGE CO.

APRIL 11TH, 1894.

As per Schedule to Bill No. 41, "An Act to amend the Acts respecting the Clifton Suspension Bridge Co.," 1894.

Schedule.

Memorandum of agreement made this eleventh day of April, A. D., 1894, between the Commissioners of the Queen Victoria Niagara Falls Park (hereinafter called the Commissioners) of the first part and the Clifton Suspension Bridge Company (hereinafter called the Bridge Company) of the second part.

Whereas the Bridge Company are the proprietors of a Suspension Bridge across the Niagara River below the Falls.

And whereas the said Bridge Company have by their petition applied to the Parliament of Canada at its present session for an Act empowering them amongst other things to construct another bridge across the said Niagara River north of the present structure, together with the right of operating railway cars across the same.

And whereas the said Bridge Company are by virtue of a grant from the Crown, dated the twenty-eighth day of January, 1873, the proprietors of a strip of land two hundred feet in width along the Niagara River, and otherwise more particularly described in the said grant and the plan therein referred to and subject to the exceptions therein contained upon part of which the present structure of the Bridge Company is situate.

And whereas by certain Acts of the Legislature of Ontario the Commissioners have vested in them that part of the highway which is excepted from the operation of the grant to the Bridge Company hereinbefore referred to.

And whereas it may be necessary for the construction of a new bridge and the operation of electric or other cars over the same, moved by any power except steam, that the Bridge Company should have the right to cross the said highway or otherwise encroach or interfere with the same, and subject to arrangement with the Niagara Falls Park and

River Railway Company to cross or otherwise interfere with its tracks.

And whereas the Commissioners contemplate the construction at some future time of a low level railway line underneath the bridges of the Bridge Company near the water's edge of the Niagara River, and for that purpose desire to have the piers of the Bridge Company so constructed as not to interfere with the construction or operation of the said Railway.

And whereas the said parties have agreed to make the mutual concessions which each desires from the other.

1. Now, therefore, this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements between the parties, the Bridge Company hereby grant unto the said Commissioners the absolute and irrevocable right to construct, maintain and operate below the bridges of the Bridge Company and across the property hereinbefore referred to, granted by the Crown to the Bridge Company, a double track line of railway.

2. It is agreed on the part of the Bridge Company that any piers or abutments or other portions or appliances of any bridge built by the Bridge Company shall be so located as to admit of the construction of the said low level railway as a double line, and on the part of the Commissioners it is agreed that they shall not injure, prejudice or interfere with any such piers, abutments, or appliances in the construction or operation of the said low level railway.

3. The Commissioners hereby covenant and agree with the Bridge Company that the Bridge Company shall have the right to erect their bridge structure and operate their cars over the said bridge and across the highway upon and opposite to the lands vested in the Bridge Company as hereinbefore mentioned, and subject to arrangement with the Niagara Falls Park and River Railway Company, and to such order as the Railway Committee of the Privy Council may make to cross the tracks of the said Railway Company.

4. In the event of the Bridge Company deciding to build upon the cantilever principle, they shall be at liberty to place such portion of their said structure as may be necessary under the said highway in front of the lands aforesaid, provided always that they shall not interfere with the user of the same by the public or the said Niagara Falls Park and River Railway Company.

5. And in the event of the Bridge Company deciding to build a double deck bridge on the lands aforesaid, it shall be competent for them to cross the said highway with an arch or truss, subject to approval of the plans of the said crossing by the Commissioners and by the Railway Committee of the Privy Council.

6. It is agreed that in the event of such a structure being decided upon for the new bridge as will require guys for its maintenance, that the same may be placed or affixed to portions of the bank belonging to or under the control of the Commissioners, and also that the guys to the present structure shall not be interfered with, and also that it shall not be necessary for the Bridge Company to charge or alter the location of the towers of the present bridge. Provided always that

the said guys must be so arranged as not to interfere with the said low level railway, and that the Bridge Company will from time to time, at the request of the said Commissioners, so change the location of the said guys outside the lands of the Bridge Company to such point or structure as the Commissioners may desire, but no such change shall be directed as shall endanger the safety of the said bridges.

7. It is also agreed that the cables used by the Bridge Company in its present bridge shall not be interfered with, and they shall also be at liberty to stretch across the said highway any cables which it may be necessary for them to use in connection with the new structure or in substitution of any cables at present in use or hereafter to be used in connection with the said bridges or either of them.

8. The Bridge Company shall grant and quit-claim to the Commissioners all the right, title and interest of the said Bridge Company of, in and to so much of their lands on the west side of the chain reserve as may be contained by a line running from the present south-east corner of the verandah of the Cliff House to a point situate twelve feet to the west of the front line of Hawley's Museum for the purpose of dedicating the same to the public as a portion of the adjoining highway.

9. The covenants and agreements herein contained shall be binding upon the said Commissioners and their successors, and upon the said Bridge Company, their successors and assigns.

10. The Bridge Company shall not exercise any powers vested in such company in relation to the lands and property vested in the Commissioners, nor shall the Bridge Company have any rights in relation to the same other than such as are in this agreement contained, or as may hereafter be agreed upon between the Commissioners and the said Bridge Company.

11. It is agreed that in the event of the Bridge Company failing to get an Act from the Parliament of Canada at the present or next session thereof for the purposes hereinbefore referred to and constructing a bridge thereunder, this agreement and all the covenants and agreements therein contained shall be absolutely null and void, but upon the passage of such Act of Parliament this agreement shall take effect and be binding upon the parties thereto from the time of the passing of such Act.

In witness whereof the said parties have hereunto set their hands and seals.

Signed, sealed and delivered in
the presence of

John S. Read,
Teller.

}

J. W. Langmuir,
Chairman.

Corporate seal of the Commissioners of the
Queen Victoria Niagara Falls Park.

Charles H. Smyth,
President.

Corporate seal of the Clifton Suspension
Bridge Company,

AGREEMENT WITH THE NIAGARA FALLS SUSPENSION BRIDGE COMPANY, 3RD MAY, 1894.

MEMORANDUM OF AGREEMENT made this third day of May, A. D., 1894, Between

The Commissioners of the Queen Victoria Niagara Falls Park, hereinafter called The Commissioners, of the first part,

The Niagara Falls Suspension Bridge Company, hereinafter called The Bridge Company, of the second part,

And the Niagara Falls Park and River Railway Company, of the third part.

Whereas the Bridge Company are proprietors of the Railway Suspension Bridge crossing the Niagara river below the Falls ;

And whereas the said Bridge Company have, by their petition, applied to the Parliament of Canada at its present session for an act empowering them, amongst other things, to construct another bridge across the said Niagara river, together with the right of operating railway cars, electric or cable, or other railway across the same ;

And whereas by certain acts of the Legislature of Ontario, the Commissioners have vested in them certain lands heretofore vested in the Crown ;

And whereas it is desirable in the interest of the Park that certain lands, the property of the Bridge Company, should be vested in the Commissioners ;

And whereas it is desirable that certain other lands, now vested in the Commissioners, should be granted by irrevocable and perpetual license by the Commissioners to the Bridge Company, for the purpose of the undertaking of the Bridge Company ;

And whereas the parties hereto have agreed to make the mutual concessions which each desires from the other :

1. Now, therefore, this agreement witnesseth, that in consideration of the premises, and of the mutual covenants and agreement between the parties, the Commissioners hereby grant and confirm the Title in Fee to the Bridge Company of the lands on the Chain Reserve now occupied by the bridge structure and offices and bridge supports of the Bridge Company. And the said Commissioners do also hereby grant to the Bridge Company irrevocable and perpetual license the exclusive occupation of a piece of land seventy feet in width on the north side, and a piece of land seventy feet in width on the south side of the lands, the title to which has been confirmed by the conveyance of the Commissioners hereinbefore referred to.

And also down the talus or slope of the bank to within eighty feet of ordinary high water mark of the Niagara river measured down the slope, or sixty-six feet measured horizontally from the said high water mark.

The plan signed by the parties hereto and filed with this agreement in the department of the Secretary of State for Canada, shows the land, the title to which is confirmed by the Commissioners, which said parcel of land is tinted pink on the plan, and the said parcel of land as to which the said Commissioners have granted an irrevocable and perpetual license is shown upon the said plan tinted green.

2. The Bridge Company hereby grant and convey to the Commissioners, for the purposes of a public road or highway, all the lands shown on the said plan as colored yellow, and lying between the westerly limit of the Chain Reserve and a line drawn from the northerly boundary of the Bridge Company's property parallel with the stone abutment of the Bridge Company, and distant easterly twenty feet therefrom, and inclining from the point opposite the southerly corner of the abutment to a point on Bridge street in line with the said abutment. And in addition the Bridge Company hereby grant and convey whatever right the Bridge Company have in and to the parcel of land formerly owned by John A. Orchard, and conveyed by him to said company, and forming part of the highway to the north of the lands colored yellow on said plan.

3. And it is agreed between the parties hereto that these presents, or any covenants by any party hereto hereinafter contained, are not to be construed as expressing or implying any covenants for title or quiet possession.

4. The Commissioners covenant with the Bridge Company that the said lands hereby granted by the Bridge Company to the Commissioners are to be used for the purpose of a public street, and the said Bridge Company are to have the free use thereof for access to and from the bridge as at present constructed on the level and overhead, or for any bridge that may be hereafter constructed for themselves; and, also, to and from the bridge at present constructed, or any bridge that may be hereafter constructed, to the lands owned by the said Bridge Company to the west of the said piece of land colored yellow. And the Commissioners also covenant with the said Bridge Company that the said lands shall be used as a public road for the free use of all persons travelling thereon, either in carriages or on foot or otherwise.

The said Commissioners covenant that the said Bridge Company shall have the right of crossing the said road or highway and the said lands above described, marked yellow, and also the said lands hereby granted and conveyed to the Commissioners with a single or double track, electric, or cable, or other railway, to be moved by any power except steam, to reach the lands of the Bridge Company to the west thereof, and are to have the right to cross on the level the tracks of the Niagara Falls Park and River Railway in such manner and upon such terms as may be agreed upon between the said Bridge Company and the said Niagara Falls Park and River Railway, and subject to the directions which may be approved by the Railway Committee of the Privy Council; and in the event of the Bridge Company failing to make an arrangement with the Niagara Falls Park and River Railway

for such crossing, the Bridge Company are to have the right to cross the tracks of the Niagara Falls Park and River Railway in such manner and according to such directions and upon such terms as the Railway Committee of the Privy Council may approve.

6. It is agreed between the parties hereto, that the Niagara Falls Park and River Railway Company shall have the right to lay a double track and no more for their electric railway upon the said highway, it being agreed, however, that the said Niagara Falls Park and River Railway Company shall not place their rails nearer to the present entrance of the Bridge Company than at present, and that any second track which may be placed by the said Niagara Falls Park and River Railway Company shall be laid on the westerly side of the existing track.

7. It is also hereby agreed between the Commissioners and the Bridge Company, that in the event of the Bridge Company desiring for the purposes of their present structure or for the construction of a new bridge to alter their piers or abutments as at present placed, the said Bridge Company are to be at liberty to do so, and it is hereby agreed between the parties hereto that the grant of the said lands, marked yellow, and of the other lands, by the Bridge Company to the Commissioners, are subject to the right of the Bridge Company to retain their piers or abutments as at present located, and with the privilege to the Bridge Company to alter or change the size of their piers and their location to any other point upon the said parcel of land marked yellow and the other parcel of land hereby granted by the Bridge Company to the Commissioners, subject, however, to allowing free access over the said lands for a public street for all proper purposes, and, also, so as not to interfere with the tracks of the Niagara Falls Park and River Railway as located on the said street.

8. It is hereby agreed between the parties hereto, that the Bridge Company shall have the right upon the lands granted and licensed to them, and marked respectively upon the said plan pink and green, to place any erections or structures that may be necessary for the renewing of their present structure or for the construction of a new bridge on the cantilever or single arch principle, or otherwise, and for the necessary offices in connection with the same, the Bridge Company agreeing with the Commissioners that if after the construction of the said new work any portion of the lands colored pink or green upon the said map, may not be necessary in connection with such structure, that such portion of such lands as may be on the bank shall be maintained by the said Bridge Company as an ornamental plot or flower garden.

9. It is agreed that in the event of such a structure being decided upon for a new bridge as will require guys for its maintenance, that the same may be placed or affixed to portions of the bank belonging to or under the control of the Commissioners; and, also, that the guys to the present structure shall not be interfered with, provided always that the said guys must be so arranged as not to interfere with any low level railway that may be sanctioned by the Commissioners, and that the Bridge Company will from time to time, at the request of the said Commissioners, so change the location of the said guys outside the lands of the said Bridge Company to such point or structure as the

Commissioners may desire, but no change shall be directed as shall endanger the safety of the bridge.

10. It is agreed that the Bridge Company shall not exercise any powers vested, or to be vested, by the said act in such Company, in relation to the lands and property vested in the Commissioners, or have any rights in relation to the same other than such as are in this agreement contained, specified and described, or unless as may hereafter be agreed upon between the Commissioners and the Bridge Company.

And the parties hereto of the third part hereby consent to and approve of the foregoing agreements.

In witness whereof the parties hereto have hereunto set their corporate seals.

Signed, sealed and delivered in the presence of	Sgd., J. W. LANGMUIR, Chairman of the Q. V. N. F. Park Commissioners.	SEAL of the Commissioners
R. G. COX.	Sgd., Niagara Falls Suspension Bridge Co.,	SEAL of the Bridge Co.
	THOS. R. MERRITT, President.	
	EDW'D B. OSLER, President.	SEAL of the Railway Co.

AGREEMENT FOR CHIPPAWA EXTENSION NIAGARA FALLS
PARK AND RIVER RAILWAY, 7TH MAY, 1894.

THIS AGREEMENT made in quadruplicate the seventh day of May,
one thousand eight hundred and ninety-four,

Between

The Commissioners for the Queen Victoria Niagara Falls Park, hereinafter called "The Commissioners," of the first part,

And the Niagara Falls Park and River Railway Company, hereinafter called "The Railway Company," of the second part.

This agreement may be known as the Chippawa Extension Agreement.

Whereas the Act of the Legislature of Ontario incorporating the Niagara Falls Park and River Railway Company, (55 Victoria, Chapter 96), empowered the Railway Company to construct and operate extensions of their Electric Railway from Chippawa to Fort Erie, and from Queenston to the town of Niagara as may be determined ;

And whereas in respect of the extension of the Electric Railway from Chippawa, the Legislature of Ontario, by an Act passed at the recent session respecting the Queen Victoria Niagara Falls Park, enacted that "The Commissioners and the Niagara Falls Park and River Railway Company may enter into an agreement to extend the existing Electric Railway from Chippawa along the bank of the River Niagara southerly to a point on the said river not exceeding two miles from Chippawa," and it was by the said Act further provided that "Such agreement shall provide for the location and mode of construction of the said railway, and may include matters similar to such as are contained in the agreement of 4th December, 1891, between said parties, and in the Act passed in the 55th year of Her Majesty's reign, Chapter 96, validating said agreement, and may be on such terms and conditions as the Commissioners and the Railway Company agree on," and that "Such agreement shall have no force or effect without the approval of the Lieutenant-Governor in Council, and on such approval the Railway Company may exercise in respect of such extension the powers exercisable by the said Railway Company in respect of the construction and operation of the Electric Railway between Queenston and Chippawa, under the said Act, 55 Victoria, Chapter 96, and in accordance with the limitations therein contained, so far as the same may be consistent with the agreement aforesaid ;"

And whereas in pursuance of such powers, the Commissioners, subject to the approval of the Lieutenant-Governor in Council, and the Railway Company, have defined the terminus of the said Extension

Railway at a point about one and-a-half miles to the south of Chippawa on the Niagara river, and the said parties have, in pursuance of the powers conferred by the said Act of the recent session agreed, subject to the approval of the Lieutenant-Governor in Council, as aforesaid, in manner following :

Now therefore these presents witness, that is to say :—

1. The location of the extension line to be from that point of the existing railway opposite to the public bridge, thence over the said public bridge over Chippawa creek (or Welland river), and thence easterly along the highway on the south side of the Chippawa creek until such highway joins the reserve in front of the lots bordering on the Niagara river and generally described as the Chain Reserve, and thence along the westerly side of the Chain Reserve to the before mentioned terminus on the Niagara river.

2. Such location through the village of Chippawa and over said public bridge to be in accordance with the by-laws or resolutions of the municipal council of the village of Chippawa or other proper authority, and also of such regulations as the Governor-in-Council has made, or may from time to time make, in respect of crossing the said Chippawa creek by the said public bridge or otherwise.

3. The railway to be built between the point on the existing railway opposite the bridge at Chippawa and the terminus on the bank of the Niagara is to be a double track, except over the bridge at Chippawa, and between certain points hereinafter provided, where a single line only as hereinafter provided may be deemed sufficient. The eastern track of the railway to be on the western side of the Chain Reserve, and to the west thereof shall be laid the western railway track, and on land still further to the west, but immediately adjoining, a road shall be formed to be used as a public highway. Such works and matters by the railway company to be done and provided shall be as specified more particularly as follows :—

A. The Railway Company shall, without unnecessary delay, vest in the Commissioners, for public purposes, so much of the lands lying to the west of the Chain Reserve along the bank of the Niagara river and south of the village of Chippawa as may be contained by a line drawn parallel with the westerly line of the Reserve as presently defined upon the ground and distant sixty feet therefrom, and extending from the mouth of the Chippawa river southwards for a distance of about one and-a-half miles, or to such point as will be the terminus of the proposed railway, within two miles from Chippawa. Where arbitration proceedings are taken, the title to be vested in the Commissioners to be one month after the final award in such matters.

B. The Railway Company shall form a roadway on the lands above described, with properly graded and crowned road-bed of not less than twenty-four feet in width, and provided with substantial side ditches and cross drains of a capacity sufficient to carry off the water at all seasons of the year. The Railway Company shall fence the westerly limit of the new roadway with a substantial post and wire fence. No other fences shall be erected.

C. The Railway Company may put down upon the present Chain Reserve a single track railway from the village of Chippawa southwards for a distance not to exceed two miles, and as indicated on the plan "A" herewith, the course of said track to follow the general line of the fence bounding the Chain Reserve on the west as closely as safety will permit. In addition to the single track thus defined, one or more sidings will be permitted at or near the site of the proposed steamer landing, in the locations and of such lengths as may be approved of by the Commissioners. Until the completion of the works described in paragraph "B." to the satisfaction of the Commissioners, the travelled way upon the Reserve shall be preserved. Where the space is too narrow to admit of the track clear of the roadway, the space occupied by the track shall be planked over and made safe for the passage of vehicles, to the approval of the Commissioners.

D. When the Railway Company shall have acquired and vested in the Commissioners the lands above described, and shall have formed the road-bed and provided the ditches and watercourses in a manner satisfactory to the Commissioners, the Commissioners authorize the laying of a double track, parallel with and co-terminus with the line of railway provided in paragraph "C," and at the usual distance therefrom.

E. The Railway Company shall not occupy any of the lands east of the railway tracks, excepting for sidings near the steamer landing, as before provided. Where the erosive action of the river may necessitate the building of crib work or other desirable form of protection from time to time, the same shall not be carried above the level of the tracks of the railway. The right to build such crib work or other protection, at exposed points, shall not be construed as affording the Railway Company any rights in the lands so used.

F. The Commissioners, so far as they can, shall license to the Railway Company the occupation of a water lot at the proposed site of steamer landing, but not exceeding two hundred and fifty feet along the river, for the erection of a wharf, but such wharf shall not project out into the river a greater distance than one hundred feet at any point, or such distance as may be necessary to reach deep water.

G. Should the Commissioners desire at any time hereafter to open roadways or other crossings over the tracks of the Railway Company to afford access to the water or water lots, the Railway Company shall provide proper facilities for crossing the tracks.

H. The character and finish of the works to be done under this agreement shall be subject to the approval, from time to time, of the Commissioners.

J. If, in the opinion of the Commissioners, there is sufficient space on the Chain Reserve, opposite to the lands formerly the property of Dr. Macklem, and within the village of Chippawa, to admit of a single line of railway without unduly encroaching upon the travelled highway, the Railway Company shall not be required to provide the full width of sixty feet to the west of the Chain Reserve over and across this property (a distance of 300 feet, more or less) as provided for in paragraph "A" of this agreement, but may leave the same in abeyance until a double track is required. The single track in front of this property shall be located to the approval of the Commissioners.

K. The Railway Company shall, without unnecessary delay, build the new road on the west side of the railway, and until the same has been completed will give the accommodation necessary for public traffic on the existing roadway, and will protect the Commissioners or any others interested against any claims by reason of the occupation of the highway.

5. And for the due execution and performance of the said works the Railway Company may exercise all the powers which are vested in the Railway Company to be exercised under The Railway Act of Ontario, under the agreement of 4th December, 1891, and by the Act 55 Vic., Chapter 96, validating the same.

6. And it is further witnessed and agreed, that the Railway Company shall operate the extension henceforth, and in the event of the Railway Company omitting to operate the same between the months of May and November in any year, the Railway Company, upon notice in writing by the Commissioners to the Railway Company, shall, within three months after such notice shall have been given, remove their rails and superstructure from on the extension, and all right and interest of the Railway Company therein shall thenceforth cease, except that the Commissioners will be liable to pay the Railway Company one-half the actual cost of the strip of 60 feet acquired by the Railway Company for the purposes and requirements of section "A" of the fourth paragraph of this agreement, such actual cost being the sum paid the proprietors for the acquisition of such land by contract or arbitration, as the case may be, and of which actual cost the Railway Company shall furnish the Commissioners with the amount and particulars of payment within six months from the date thereof, and in the event of arbitration proceedings, if any, not then terminated then within one month of the termination of such arbitration proceedings.

7. And it is further agreed, that at any time after three years and within four years from the date thereof, the Railway Company continuing to operate the said railway, the Commissioners shall have the option to determine that the extension, including the dock and terminus thereof, shall form part of the existing system of railway of the Railway Company between Queenston and Chippawa.

8. The said option shall be signified in writing under the corporate seal of the Commissioners as given in pursuance of this agreement, and thereupon and within three months thereafter the Railway Company shall make such extension railway in all matters as to materials, work and plant to conform and be equal in respect of construction, permanent character of works, in accordance with the provisions and specifications of the railway between Queenston and Chippawa, as agreed to be built under the agreement made between the Railway Company and the Commissioners on the 27th day of March, 1894, and as to the terminal point on the Niagara River in accordance with the 9th section of the agreement of the 4th December, 1891, which said works shall be subject to the same requirements and approval of the Commissioners and the Commissioner of Public Works for Ontario as in the said agreement and by the Act 55 Victoria, chapter 96, are provided.

9. And in the event of the said option being exercised by the Commissioners such extension shall form part of the railway system be-

tween Queenston and Chippawa and shall thenceforth be subject to the same terms and conditions of tenure terminating at same periods, and subject to the same rights of compensation and modes of ascertainment thereof, and of rights of the Commissioners as between the Railway Company and the Commissioners, as specified and contained in the agreement of 4th December, 1891, and in the Act passed in the 55th year of Her Majesty's reign chaptered 96, validating said agreement.

10. To prevent misapprehension and ambiguity, it is hereby declared and understood that until the said option in the foregoing seventh paragraph of this agreement is exercised by the Commissioners, the Railway Company shall not be required to convert the said extension into a work up to the standard of their said existing railway.

In witness whereof, the corporate seal of the Commissioners has been hereunto affixed by their chairman, who has also signed the same, and the corporate seal of the Railway Company has also been hereunto affixed, and the president and secretary of the Railway Company have affixed their signatures, the day and year first above written.

Signed, sealed and delivered
by the Chairman of the Commis-
sioners, in the presence of

Sgd.

JAMES WILSON,

and by the Railway Company, in
the presence of

Sgd.

G. T. CHISHOLM.

Sgd.

J. W. LANGMUIR,
Chairman. Seal of the
Commissioners

The Niagara Falls Park & River
Railway Company,
Sgd.

E. B. OSLER,
President. Seal of the
Ry. Co.

Sgd.

R. A. SMITH,
Secretary.

GRANT OF THE FORESHORES.

COPY OF AN ORDER IN COUNCIL APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR THE 6TH DAY OF JULY, A.D.
1894.

The Committee of Council have the honour to report for the information of Your Honour that by the Act passed at the recent session of the Legislature of Ontario (57 Victoria, chapter 13,) respecting The Queen Victoria Niagara Falls Park, it was provided that Your Honour in Council may vest in the Commissioners, to be held for the purposes of the Park, any part or portions of the foreshores, or bed of the River Niagara, or lands covered with water in the said River Niagara, which do or doth lie in front of the lands vested in the Commissioners by section 3 of "The Queen Victoria Niagara Falls Park Act, 1887," and which, at the time of the Order-in-Council vesting the same in the Commissioners, may be the property of Ontario, and that the Commissioners have applied for a grant to them of the following foreshores, the property of Ontario, namely :—

Commencing at a point on the edge of the cliff on the left or westerly bank of the Niagara River, where it is intersected by the production eastward of that portion of the southerly limit of Ferry Road below the bank, which has a bearing of south fifteen degrees and fifty-eight minutes east astronomically ; thence south fifteen degrees and fifty-eight minutes east astronomically along said production to the International Boundary in said River Niagara ; thence up stream along said International Boundary to a point intersected by the production northerly of the most easterly limit of the Queen Victoria Niagara Falls Park, which has a bearing of north seven degrees and ten minutes east astronomically ; thence south seven degrees and ten minutes west astronomically along said production to an iron monument planted by P. L. S. John McAree in 1885, during the survey of the land boundary of said Park, at high water mark on the left bank of the Niagara River ; thence down stream, following the water's edge thereof at high water mark to its intersection with the production eastward of that portion of the southerly limit of Ferry Road first above mentioned.

The Committee advise that Your Honour do vest the said lands in the said Commissioners as prayed, to be held for the purposes of the said Park, and that Letters Patent under the Great Seal be issued in record of the said grant.

Certified.

J. LONSDALE CAPREOL,

Asst. Clerk Executive Council.

The Commissioners of Queen Victoria Niagara Falls Park, Toronto.

FURTHER ISSUE OF DEBENTURES.

COPY OF AN ORDER IN COUNCIL APPROVED BY HIS HONOUR
THE LIEUTENANT-GOVERNOR, THE 14TH DAY OF MAY, A. D.

1894.

His Honour the Lieutenant-Governor, by and with the advice of the Executive Council of Ontario, and pursuant to the Act of last session respecting the Queen Victoria Niagara Falls Park, has been pleased to direct, and it is hereby directed, that subject to the debentures issued and secured under section seven of "The Queen Victoria Niagara Falls Park Act, 1887," the Commissioners of the said Queen Victoria Niagara Falls Park be authorized to issue further debentures to the amount of sixty thousand dollars (\$60,000) for necessary park improvements, and the purchase money of lands to be acquired by the issue of debentures.

His Honour further directs that the appropriation and application of the proceeds, the form and effect of such debentures, their payment, with interest, as also the security, guarantee and negotiability thereof, shall be as provided by the said section seven, with respect to the debentures therein mentioned.

Certified.

J. LONSDALE CAPREOL,

Asst. Clerk, Executive Council.

NINTH ANNUAL REPORT

OF THE

COMMISSIONERS

FOR THE

QUEEN VICTORIA NIAGARA FALLS PARK,

BEING FOR THE YEAR

1894.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.



TORONTO:

WARWICK BROS. & RUTTER, PRINTERS, 68 AND 70 FRONT ST. WEST.
1895.

NINTH ANNUAL REPORT
OF THE
COMMISSIONERS
FOR THE
QUEEN VICTORIA NIAGARA FALLS PARK.

*To the Honorable GEORGE AIREY KIRKPATRICK,
Lieutenant-Governor of the Province of Ontario.*

MAY IT PLEASE YOUR HONOR:

The Commissioners of the Queen Victoria Niagara Falls Park beg to submit their Ninth Annual Report, for the year ended 31st December, 1894.

The year has been an exceptionally busy one for the Commissioners, and many matters of great importance to the Park and its outlying precincts have received their careful consideration and decision. In their report for 1893 the Commissioners made reference to the application of the Niagara Falls Park and River Railway Company for permission to double-track their line, on the ground that the Company's experience in handling the traffic of the road during 1893 had demonstrated that the second track was not only essential to the success of the road but absolutely necessary to the safety of the travelling public.

While the Commissioners recognized the fact that in the original agreement made with the promoters of the railway, provision is made, under certain regulations, for a double track, and while they fully admitted the force of the arguments advanced by the Railway Company as to its pressing necessity, they found, nevertheless, there were many serious difficulties in the way of giving their assent to the proposal. Of these difficulties one of the most formidable was the actual want of space (in some places in the park and also in front of the town) for a second track, without unduly encroaching on the public roadway. At such places it was found absolutely necessary either to restrict the company to a single track or bring the two tracks so close together as to practically occupy the space of only one.

Another serious difficulty was the fear that a second railway track through the park would be very objectionable from a scenic point of view, and seriously affect the appearance of the grounds at some of their most interesting points. This subject received much consideration at the hands of the Commissioners, and the system of treatment decided on as best suited to the circumstances of the case was carefully defined.

An agreement was finally arrived at with the Railway Company embodying plans and detailed specifications of construction and finish throughout, under which the work was allowed to proceed, and the second track was completed in time for the season's business. The text of the agreement is as follows :

" This agreement made the 27th day of March, one thousand eight hundred and ninety-four, between the Niagara Falls Park and River Railway Company, of the first part, and the Commissioners for the Queen Victoria Niagara Falls Park, hereinafter called the Commissioners, of the second part.

" Whereas, the Railway Company propose to double track their present single line of electric railway, between Queenston and Chippawa, and have applied to the Commissioners to consent to such work in pursuance of the Act incorporating the Niagara Falls Park and River Railway Company (55 Victoria, Chap. 96) and schedule B thereto.

" And in pursuance of such application the parties hereto have agreed, subject to the approval of the Commissioner of Public Works of Ontario, that the said single line of electric railway shall be made a double track electric railway between Queenston and Chippawa, except at certain points, in accordance with the terms, agreements, provisions and covenants contained in these presents and in the memorandum hereunto annexed, which, with the plans relating thereto, are hereby declared to be and are made part and parcel of this contract ;

" And whereas, the present single line of railway is located, or is intended to be located in accordance with the plans of the said line of single railway submitted by the Railway Company to the Commissioner of Public Works, on the eighth day of April, 1892, accompanied by duly identified specifications, dated fourth December, 1891, and deposited in the Department of Public Works, which plan or plans, specifications and matters so submitted to the Commissioner of Public Works, received the approval, on the said eighth day of April, 1892, of the Honorable Richard Harcourt, Acting Commissioner of Public Works, in the terms of a memorandum in writing signed by him on the said eighth day of April, 1892, which said plans and specifications so approved as aforesaid relate to the location of the said present line of single railway, and in so far as applicable, are to be taken in connection with the works and matters appurtenant thereto, to be done and completed, as the doubling of the said single line of railway in the manner hereby agreed to be done ;

" And whereas, the draft of the memorandum hereto annexed was, on the fifteenth day of March instant, submitted jointly to the Commissioner of Public Works of Ontario in the person of the Honorable Richard Harcourt, a member of the Executive Government of Ontario, and Acting Commissioner of Public Works, by the President and representatives of the Railway Company, and by John W. Langmuir, Chairman of the said Commissioners, for the consideration and approval of the said Commissioner of Public Works ;

" And the said Acting Commissioner having directed that upon the said draft memorandum so submitted to him with certain changes made being embodied, and plans relating thereto, together with a proper agreement duly executed by the Railway Company and the Commissioners, under their respective corporate seals, containing proper covenants and stipulations as he should deem proper for the due and satisfactory completion of the works in the said memorandum contained, and submitted to him (with the said changes being duly embodied therein) the consent and approval of the Commissioner of Public Works to the location and construction of a double track to be completed in accordance with such agreement, together with the other works contained in the said

memorandum, and plans hereinbefore mentioned, would be signified by endorsing such consent on the said agreement under the proper hand of the Commissioner of Public Works ;

“ And whereas these presents have been prepared and executed in pursuance of the matters hereinbefore recited ;

“ Witnesseth, that in consideration of the matters hereinbefore recited, the Railway Company covenant with the Commissioners in manner following, that is to say :

“ 1st. That the Railway Company will execute, construct and complete all and singular the works in the memorandum hereunto annexed, mentioned and intended to be performed, executed and constructed and completed in the best and most workmanlike manner, in the manner required by and in conformity with the said memorandum, and the plans and drawings referring thereto, which said memorandum, plans and drawings are hereby declared to be and are made part and parcel of this contract, and to the complete satisfaction of the Commissioner of Public Works of Ontario for the time being.

2nd. And no alterations, omissions or deviations from the works described in the said memorandum and as shown on the plans (if shown) therein referred to, shall be permitted unless such alterations, omissions or deviations shall have been first approved by the Commissioners by a resolution of the Board of Commissioners communicated to the said Railway Company signed by the Chairman of the Commission.

3rd. That in case of any of the works, or any part or parts thereof to be done, executed and completed by the Railway Company under the first clause of this contract shall, either in the progress of the work being done by the railway company or before its final completion to the satisfaction of the Commissioner of Public Works, as hereinbefore provided, be not proceeded with or done to the complete satisfaction of the Commissioners, the Railway Company will, within eight days after written notice shall have been given to them by the Commissioners of the objections, omissions or matters charged to be improperly done or omitted to be done, duly execute or complete the same in a good, sound and workmanlike manner, to the complete satisfaction of the Commissioners, if the said works, omissions or matters in said notice required to be done are in accordance with the said memorandum hereto annexed and the plans relating thereto as aforesaid or such as should be done in relation thereto.

Signed, sealed and delivered
in the presence of

(Sgd.) WM. T. JENNINGS,	}	(Sgd.) E. B. OSLER,
(Sgd.) JAMES WILSON,		President.
as to signature of J. W. Langmuir.	}	(Sgd.) J. W. LANGMUIR,
		Chairman.

“ Memorandum of works to be performed by the Niagara Falls Park and River Railway Company in connection with the double tracking of the line and the proper completion of the works required under the agreement with the Queen Victoria Niagara Falls Park Commissioners of December 4th, 1891, and of the Act of incorporation.

"For convenience the line will be divided into four sections, viz.:

"1. From Chippawa to the southeast limit of the Park, a distance of 1 and 3-10 miles. (See plan A).

"2. The Park proper, or from the southeast limit of the Park to the Clifton House, a distance of 2 miles. (See plan B, and amended plans Nos. 1, 2 and 3).

"3. From the Clifton House to the north limit of the Town of Niagara Falls, 2 and 2-10 miles. (See plan B, and amended plans Nos. 3, 4 and 5).

"4. From north limit of the town to Queenston, 6 miles. (See plan A).

"The works in these several sections which are required to be done will be separately defined.

SECTION 1.

"*Location.*—The new track to be located as shown by a thin red line on plan A herewith, the distance between the tracks to be eight (8) feet, or thirteen (13) feet centre to centre.

"*Grading.*—The grading, ditching, etc., etc., to conform to the gradients of the existing track. All cuttings and embankments to have the slopes cleanly cut to a pitch of one and a half horizontal to one vertical, and in all cases where material is borrowed or wasted, the ground shall be levelled off and left smooth and even, and with the slopes of all embankments or cuttings to be sown with grass seed.

"Cattle passes and culverts are to be extended sufficiently to meet the requirements of the case.

"*Permanent Way.*—All rails, fittings, guard rails, ties, ballasting, etc., to be equal in quantity and quality to the existing work.

"*Electrical Equipment.*—The centre-pole system will be adopted in this portion of the line, and the brackets, wiring, etc., shall be patterned after that now in use.

SECTION 2.

"Through the Park proper double tracking may be laid, excepting at the following points, where there shall be a single track only:

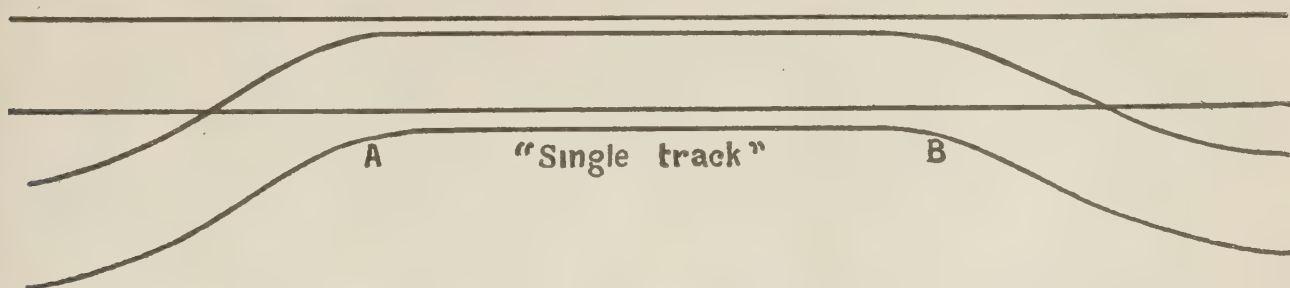
"(a) From a point one hundred and forty (140) feet south of the south side of Table Rock House to a point one hundred and twenty (120) feet north thereof, or a total distance of two hundred and sixty (260) feet.

"(b) From a point twenty-five (25) feet south of the south side of the restaurant building to a point four hundred and ten (410) feet north thereof, or a total distance of four hundred and thirty-five (435) feet.

"Should it be shown that the operation of a single track at the points above specified is dangerous to the public, the Railway Company shall have the right to place a double track to the rear, or west side, of the buildings referred to, viz.: the 'Table Rock House' and the 'restaurant building,' in which case the present single track in front thereof shall be removed.

"In each case the distance given is to cover the space where there shall be one track only, the leads to be beyond this distance in all cases.

"At the several points where single track is required the railway company may either lead the second track into one pair of rails, by means of switches, or carry the two pairs of rails continuously over the distance specified, but laid as closely together as the flanges will permit; thus, in the figure, the distances between A and B shall be considered as single track:



"Crossing the bridges on Dufferin Islands the distance apart of tracks to be reduced to suit the existing bridge structures.

"The location of the second track in the Park proper shall be as indicated on the large scale plan marked B, but with certain amendments thereto, as defined on the several plans marked numbers 1, 2 and 3, and more particularly described as follows:

"Commencing at the southeast limit of Park, the second track shall be located on the landward side of existing one as far as the Dufferin Islands bridge. Across the Dufferin Islands the present track to be shifted to one side sufficiently to permit of the tracks being laid as above specified.

"From the bridge at Clark Hill to a point opposite the gravel pit the second track shall be on the landward side of the present one, which will remain in its present location.

"Between the gravel pit and the head of Cedar Island the tracks may be adjusted to suit the siding at the 'gap,' as shown on the plan.

"From the middle of Cedar Island to the north end thereof the present track shall be slewed over towards the river, a distance of four feet, and the second track placed on the landward side. From Cedar Island to Table Rock the tracks to be placed as shown on plan No. 1.

"North of Table Rock House the present siding will be extended towards the restaurant building until the switch is within twenty-five (25) feet of the south side thereof. From this point there shall be a single track for a distance of four hundred and thirty-five (435) feet, or to a point beyond the road crossing, as shown on plan No. 2.

"North of the roadway crossing, the existing and new tracks shall be adjusted, as shown on plan number 2; they must be located so as to allow a clearance of twelve (12) feet between the present railing along the edge of the cliff and the nearest rail at the narrowest points.

"Near the north end of the Park the tracks are to be located as shown on plan No. 3.

"No sidings or cross-overs are to be laid within the Park without the consent of the Commissioners being first had in writing, and all existing sidings are to be removed excepting at such points, as they will form a part of the double track, as has been particularly described and shown on plans.

"*Grading, etc.*—The formation level of second track in the Park shall be the same at all points as that of existing one; the slopes of all cuttings and embankments are to be trimmed to the proportion of one and one-half horizontal to one vertical, excepting on the Burning Spring hill, where the slope

shall not be less than one and one-fourth horizontal to one vertical. The face of the slopes of all cuttings and embankments, excepting that of the Burning Spring, from the ties to the natural ground level, shall be sodded with newly-cut sods, cut in large strips and thoroughly pegged with long hardwood pegs. This sodding shall be done immediately after the slope shall have been put in good order and condition, and not later than the 1st July, 1894; and the grass on all such slopes must be kept by the Railway Company close cut at all times, to the full satisfaction of the Park Commissioners. The slope of the Burning Spring hill shall be sown with good grass seed and planted with thrifty foliage trees or evergreens.

"Five feet of the space between tracks shall be levelled off even with the top of ties and covered with sods, and maintained in a thoroughly lawn-like condition at all times.

"The side slope of cutting east of the Dufferin gate must not interfere with the driveway along the top of the bank at any point; but a minimum space of twenty-four (24) feet must be preserved intact at the nearest approach to the Park boundary of the top of the finished slope.

"Should the prescribed angle of slope, if carried from formation level, curtail this space, sufficient land must be secured and deeded to the Commissioners as shall at all times afford the full width of twenty-four (24) feet for driveway purposes.

"*Roads and Paths.*—Where the railway crosses the Park driveway on Dufferin Islands, the embankment must be widened out sufficiently so as to permit of a carriage turning completely around, clear of the rails, without danger to the occupants thereof.

"The footpaths crossing the railway on islands must be graded and gravelled to the satisfaction of the Park Commissioners. The portion of the driveway occupied by the second track, from the gardener's house to the gravel pit, to be compensated for by widening out the driveway on the landward side to the full width, clear of the ballast, of eighteen feet, and forming and macadamizing and rolling the surface thereof to a true and hard finish. The slopes of cutting made on the south side of driveway by this widening to be trimmed and sodded.

"*Driveway on Cedar Island.*—Where the driveway on Cedar Island is encroached upon similar compensation must be provided, and the space between the rails of the second track shall also be macadamized and rolled and made fit for driving over for such distance as may be decided on by the Park Commissioners. The roadway at north end of Cedar Island, when widened as above described, shall be carried over the original channel of river to the mainland by a suitable bridge structure, to be erected by the Railway Company to the satisfaction of the Commissioners. All driveways and pathway crossings now in existence, or which hereafter may be required by the Commissioners, must be planked the full width of the space occupied by the tracks, and of such lengths as may be approved by the Park Commissioners, and the crossings maintained in good order and condition at all times.

"*Gravel Pit.*—The gravel-pit track to be removed at once and the sides of pit sloped off neatly to an even pitch. A supply pipe of sufficient dimensions to maintain a full head of water, and not less than eight inches in diameter, to be laid from the river at the iron railway bridge at Clark Hill to the gravel pit, and an overflow of equal dimensions to be laid from the pit to the river adjoining; the bottom of pit to be graded evenly and the boulders either removed or made to form an island in the centre.

"*Dam at Channel Inlet.*—The dam placed at the channel inlet to Cedar Island to be removed and the inlet cleared of the debris. A proper outlet

shall also be provided by the railway at the north end of Cedar Island, so as to permit this branch of the river to flow on in its natural channel.

"Permanent Way."—The permanent way for the new track to be generally of a similar character to that of existing one: Ties to be eight feet in length, of sawn cedar, and placed two feet apart centres; stone ballast only to be used, and the width occupied by the ties in each of the two tracks over that portion or portions of the line which may be required by the commissioners to be covered with a top dressing of finely broken stone to a thickness of two inches above the ties and evenly spread, and the surface blinded with stone that shall pass through a half-inch ring. The space between the ends of the ties of the two tracks to be levelled and sodded.

"Cattle Guard."—A steel cattle guard to be put on new track at north limit of Park.

"Ferry Crossing."—Where the tracks cross the road leading to the 'Maid of the Mist' ferry, the road must be graded up to an even and satisfactory slope with finely broken macadam, and the tracks planked over even with rails to provide a crossing of twenty-four feet along the railway.

"Surplus Grading."—At any points where grading has been done or material placed in excess of the actual requirements of railway embankments, it must be removed and the original ground resodded and left in good condition.

"Electrical Equipments."—The iron poles will, in nearly all cases, have to be taken up and replaced in new positions. In replacing the poles, the concrete packing shall not be carried above level of centre of ties, good soil being spread evenly above to permit of sods being maintained around poles on an even level with balance of work. Where the poles are at present outside of the grading of the railway when finished, the excavations made therefor are to be well filled up and sodded over evenly with surface of adjoining ground.

"Iron poles are to be substituted for the wooden ones now carrying feeder wires at power station.

"Paint Poles."—All poles are to be painted afresh when properly in position and left truly plumb and complete in all respects. All guy or straining wires must be so placed as not to obstruct travel on roads or paths.

SECTION 3.

"Double Tracking Opposite Town Front."—In front of the town double tracks may be laid over the whole distance, excepting at the Clifton Suspension Bridge, where there shall be single track only, for a distance of two hundred and fifty feet south of the centre line of the bridge and fifteen feet north of the centre line of bridge, or a total distance of two hundred and sixty-five feet.

"Location of Second Track."—Commencing at the park boundary, the new track shall be placed on the river side of existing one until opposite the north end of the Clifton House, where it will become and continue single track to the bridge, as before mentioned, and as shown on plan No. 3. North of the bridge the second track will be laid on the landward side of the present one as far as Seneca street siding, where the two tracks will form part of the system, as shown on plan No. 4; the leads on either side being lengthened out to ease the curvature, and the space between the tracks being narrowed in.

"Queen Street."—Beyond the Seneca street siding the double track will continue on the landward side of existing track to opposite Queen street, where both tracks shall be deviated towards the river as indicated on plan No. 5. From this deviation the second track shall continue on the west side of the present track as

far as the Cantilever bridge, where the two tracks shall be located as shown on plan 'B.' From Bridge street station northwards for about a quarter of a mile the second track shall be placed on the river side of present one and from thence to north boundary of the town the new tracks shall be to the westwards, as shown on plan 'B.'

" *Width Between Tracks.*—From the park limits to the north boundary of the town the distance between the tracks shall not be more than eleven and one-half feet centre to centre, excepting at points where there are sharp curves, where the space between tracks may be made six inches wider.

" *Grading.*—The formation level throughout shall be the same as that of present track. The width to be graded covering the space between tracks and the space required for the new track.

" *New Roadway.*—In addition to this track space the Railway Company shall grade the roadway to the west of the new track for a width of eighteen feet from the line of ties and to a pitch of three inches from the level in the width of eighteen feet; the surface grading to be level with the base of ties where the roadway shall adjoin the track. This grading for roadway to be made the whole distance of two and two-tenths miles covered by this section of the line; all side slopes of cuttings or embankments to be trimmed true to line and level, and graded to 1 and $\frac{1}{2}$ to 1.

" *Ballast.*—Ballasting of second track throughout to be of gravel or broken stone ballast, well packed around ties and even with the top of them. Space between tracks also to be ballasted up evenly therewith.

" *Finish of New Track.*—The space between the two tracks and the width occupied by new track to outside or westerly line of the ties must be macadamized up to and maintained even with the level of top of rails and rolled suitable for driveway purposes, where the driveway may be encroached upon.

" *Macadamized Roadway.*—In addition to the above works the Railway Company shall macadamize the roadway bed, when graded as aforesaid, to a width of sixteen feet from line of ties, and for a length of one-half the total distance covered by this section of the line, or say one and one-tenth miles from the Clifton House northwards. The macadam to be rolled and even with the top of the rail at the east side and sloping down to the west side of the roadway three inches from a level line, in order to drain the surface water therefrom.

" The above described work of grading for and macadamizing one-half of the length of the roadway for carriages, shall be begun and carried on with despatch and in such a manner as not to interfere with the ordinary travel over said road, and shall be completed not later than the first day of July, 1894, and shall be to the satisfaction of the Park Commissioners, and of the honorable the Commissioner of Public Works.

" *Sidewalk.*—Where it is necessary in the performance of these works to interfere with or change the sidewalk, the same shall be relaid in position satisfactory to the Commissioners and left in good order and condition.

" *Cross Drains.*—A sufficient number of cross drains must be put in to effectually carry off the surface water. Should the above-described works interfere in any way with the present side ditches on the road, full compensation must be made by providing new and satisfactory ditches, and where the space between the tracks and the present fences of adjoining properties is insufficient to permit of an open drain being laid down, a covered one of size and material satisfactory to the Park Commissioners must be put in and properly connected with the cross drains so as to preserve the present drainage.

“Iron Railing of Fence to be Put in Good Condition.”—The iron railing along the edge of the cliff shall be put in good order and condition, and where it shall have been in any way interfered with it shall receive two good coats of oil and lead paint.

“Location of Poles.”—Over this section of the railway, from the Clifton House to the railway suspension bridge, the poles carrying the wires shall be on the outside or cliff side of the tracks, and straining posts shall be placed opposite to these and on the west side of the roadway in such positions as may be pointed out on the ground by the Park Commissioners. The trolley wires shall be suspended over the two tracks from straining wires running from the main posts to straining posts. All the electrical work to be the best of its class and sufficient for the duty required of it.

SECTION 4.

“This section may be subdivided into two parts, viz., from the north limit of the town of Niagara Falls to the military reserve at Queenston Heights, and secondly, through the military reserve grounds at Queenston and including the village of Queenston.

“Subsection 1.”—As to the first described section, or from the town of Niagara Falls to Queenston Heights, the following described works shall be done and performed by the railway company, viz. :

“Location of Double Track.”—The double track throughout the section shall be, generally speaking, on the west of the existing line of rails, excepting through the lands purchased from Sir David Macpherson, where the new track may be placed on the east side of the present one if found desirable to lighten the work of excavation at that point.

“Change of Location.”—With respect to the proposed change of location of the existing track and the building of the new one at Smeaton’s gully, approval is withheld pending the submission of plans and specifications showing precisely the nature of the changes proposed, together with drawings of the bridges, piers, abutments, etc., as required under the agreement of December 4th, 1891, and the Act of Incorporation. The new track to be placed at a distance of eight feet from existing one, or say thirteen feet centre to centre.

“Grading.”—The grading, ditching, etc., etc., throughout are to conform to the lines, levels and requirements of the present track. The space between the two tracks must be graded evenly with the sub-grade level of track, and all farm crossings or other work required be made complete in all respects. All cuttings and embankments are to have the slopes cleanly cut to a pitch of one and one-half horizontal to one vertical, and in all cases where material is borrowed for such embankment or wasted from such cuttings, the surface of the ground so interfered with shall be levelled off and left smooth and even, and, together with the slopes of all embankments or cuttings, be properly covered with good soil and sown with grass seed.

“Cattle passes and culverts.”—Cattle passes and culverts are to be extended sufficiently to meet the requirements of the case.

“Permanent way.”—The rails, fittings, guard rails, ties, ballasting, etc., etc., shall be equal in quality and quantity in each case to that of the existing track.

“Electrical equipment.”—The centre-pole system will be adopted in this portion of the line, and the brackets, wiring, etc., shall be patterned after that presently in use

"*Subsection 2.*—Respecting the portion of the line located through the Military Reserve at Queenston Heights and in the Village of Queenston, approval to lay a double track is withheld pending the reception of a proper license of occupation from the Dominion Government to the Park Commissioners. When such license of occupation is received, permission to lay double track will be granted on the following conditions, viz., the location of the second line of rails to be as shown on plan A herewith. No trees that are not actually on the roadbed, or on the side slopes of graded embankments or cuttings shall be cut or maimed without the express sanction of the Commissioners.

"All slopes of cuttings or embankments are to be trimmed properly and sown with grass seed. The drive-way leading from the highway to Brock's Monument shall at the crossing be put in good condition for driving over; approaches to the tracks to be graded to an easy slope and well macadamized and rolled, and a wide plank crossing provided. Where pathway from the monument leads down the slope to the village, a suitable crossing over the tracks to be provided, including stairways on the graded slopes and a plank walk over tracks.

"All debris deposited upon the lands of the reserve by the Railway Company in excess of the works actually required for the purposes of the railway shall be removed and the grounds left in as good order and condition as originally found by the Railway Company.

"All the above described works shall be done and performed by the Railway Company to the entire satisfaction of the Honorable the Commissioner of Public Works and of the Park Commissioners, and with the exception of the several works for the performance of which approval is in the meantime withheld, all works above described and shown on plan or intended to be so described and shown shall be fully performed on or before the fifteenth day of June, 1894.

"Should any of the above described works be unfinished or be considered by the Park Commissioners to be not finished to their satisfaction on the above-mentioned date, the Park Commissioners reserve the right, on giving one week's notice in writing to that effect to the secretary and the manager of the Railway Company, to go on and carry out the several works to their satisfaction and to collect the cost of performing the said works from the Railway Company.

(Sgd.) JAMES WILSON,
Superintendent.

NIAGARA FALLS, 12th December, 1893.

"It is understood that nothing contained in this agreement or memorandum shall interfere or prejudice the Railway Company's rights as set forth in the original agreement and Act of Incorporation.

(Sgd.) J. W. LANGMUIR,
Chairman,
Queen Victoria Niagara Falls Park Commissioners.

(Sgd.) E. B. OSLER,
President,
Niagara Falls Park and River Railway Company.

TORONTO, 28th March, 1894.

"I, the Honorable Richard Harcourt, Acting Commissioner of Public Works for Ontario, do consent and approve of the within agreement and memorandum annexed thereto, subject to the sufficient quantity of land east of the Dufferin

Gate and top of the bank agreed to be deeded to the Commissioners for the purposes of affording full width for driving purposes, as stated in the fifth page of the memorandum, being duly conveyed and deeded to the said Commissioners within three days hereof; the sufficiency in quantity and area to be such as the Park Superintendent shall determine.

Witness my hand this 28th day of March, 1894.

(Sgd.) RICHARD HARCOURT,
Acting Commissioner of Public Works.

The doubling of the track in front of the town of Niagara Falls necessitated some changes in the location of the driveway along the Chain Reserve, which is vested in the Commissioners, and negotiations were entered into between the town authorities and the Commissioners with a view to having a better class of roadway provided and maintained. These negotiations resulted in an undertaking by the representatives of the town to pay the sum of one thousand dollars towards the cost of construction of the road and to pay one-half the outlay for maintenance thereafter. The greater part of the driveway has been graded even with the railway and macadamized, and when the town implements its undertaking the remainder of the work will be performed.

Early in the season efforts were made by the Railway Company to establish a steamboat service between the upper terminus of the railway at Chippawa, a village at the confluence of the Welland and Niagara rivers about two miles south of the Falls, and the city of Buffalo, some eighteen miles farther up the river, and arrangements were made to put on a first-class steamer. It was found that owing to the size of the steamer proposed for this work, great difficulty would be experienced in turning around in the narrow stream at the Chippawa terminus. It was also discovered that a wide-spread feeling prevailed that it would be more or less dangerous to approach so near to the rapid waters of the Niagara as the entrance to the Welland river necessitated. Application was therefore made to the Commissioners by the Railway Company for permission to extend the railway across the Welland river and southward upon the Chain Reserve to a point on the Niagara where navigation is considered to be perfectly safe. The Commissioners sought and obtained the sanction of the Legislature to act in the premises, and on the 7th May, 1894, entered into an agreement with the Railway Company by which authority was granted them to extend the line for about two miles to a point locally known as Slater's Point, and the line was constructed in time for the opening of tourist navigation. As the Railway Company claimed the project was entirely in the nature of a venture which might have to be abandoned for lack of support in a year or two, provision was made in the agreement for a temporary construction, to be replaced, should the line be permanently established, by a construction equal to that of the then existing railway.

The text of the agreement is as follows:

"This agreement made in quadruplicate the seventh day of May, one thousand eight hundred and ninety-four, between the Commissioners for the Queen Victoria Niagara Falls Park, hereinafter called 'The Commissioners,' of the first part, and the Niagara Falls Park and River Railway Company, hereinafter called 'The Railway Company,' of the second part.

"This agreement may be known as the Chippawa Extension Agreement.

"Whereas the Act of the Legislature of Ontario incorporating the Niagara Falls Park and River Railway Company (55 Victoria, Chap. 96) empowered the Railway Company to construct and operate extensions of their electric railway from Chippawa to Fort Erie and from Queenston to the Town of Niagara, as may be determined ;

"And whereas in respect of the extension of the electric railway from Chippawa, the Legislature of Ontario, by an Act passed at the recent session respecting the Queen Victoria Niagara Falls Park, enacted that 'The Commissioners and the Niagara Falls Park and River Railway Company may enter into an agreement to extend the existing electric railway from Chippawa along the bank of the River Niagara southerly to a point on the said river not exceeding two miles from Chippawa,' and it was by the said Act further provided that 'such agreement shall provide for the location and mode of construction of the said railway, and may include matters similar to such as are contained in the agreement of 4th December, 1891, between said parties, and in the Act passed in the 55th year of Her Majesty's reign, Chapter 96, validating said agreement, and may be on such terms and conditions as the Commissioners and the Railway Company agree on,' and that 'such agreement shall have no force or effect without the approval of the Lieutenant-Governor in Council, and on such approval the Railway Company may exercise in respect of such extension the powers exercisable by the said Railway Company in respect of the construction and operation of the Electric Railway between Queenston and Chippawa, under the said Act, 55 Victoria, Chapter 96, and in accordance with the limitations therein contained, so far as the same may be consistent with the agreement aforesaid.'

"And whereas in pursuance of such powers, the Commissioners, subject to the approval of the Lieutenant-Governor in Council and the Railway Company, have defined the terminus of the said extension railway at a point about one and a half miles to the south of Chippawa on the Niagara river, and the said parties have, in pursuance of the powers conferred by the said Act of the recent session agreed, subject to the approval of the Lieutenant-Governor in Council, as aforesaid, in manner following :

"Now therefore these presents witness, that is to say :

"1. The location of the extension line to be from that point of the existing railway opposite to the public bridge, thence over the said public bridge over Chippawa creek (or Welland river), and thence easterly along the highway on the south side of the Chippawa creek until such highway joins the reserve in front of the lots bordering on the Niagara river and generally described as the Chain Reserve and thence along the westerly side of the Chain Reserve to the before mentioned terminus on the Niagara river.

"2. Such location through the village of Chippawa and over said public bridge to be in accordance with the by-laws or resolutions of the municipal council of the village of Chippawa or other proper authority, and also of such regulations as the Governor in Council has made, or may from time to time make, in respect of crossing the said Chippawa creek by the said public bridge or otherwise.

"3. The railway to be built between the point on the existing railway opposite the bridge at Chippawa and the terminus on the bank of the Niagara is to be a double track, except over the bridge at Chippawa, and between certain points hereinafter provided, where a single line only as hereinafter provided may be deemed sufficient. The eastern track of the railway to be on the western side of the Chain Reserve, and to the west thereof shall be laid the western railway

track, and on land still further to the west, but immediately adjoining, a road shall be formed to be used as a public highway. Such works and matters by the Railway Company to be done and provided shall be as specified more particularly as follow :

“ A. The Railway Company shall, without unnecessary delay, vest in the Commissioners, for public purposes, so much of the lands lying to the west of the Chain Reserve along the bank of the Niagara river and south of the village of Chippawa as may be contained by a line drawn parallel with the westerly line of the reserve as presently defined upon the ground and distant sixty feet therefrom, and extending from the mouth of the Chippawa river southwards for a distance of about one and a half miles, or to such point as will be the terminus of the proposed railway, within two miles from Chippawa. Where arbitration proceedings are taken the title to be vested in the Commissioners, to be one month after the final award in such matters.

“ B. The Railway Company shall form a roadway on the lands above described, with properly graded and crowned roadbed of not less than twenty-four feet in width, and provided with substantial side ditches and cross drains of a capacity sufficient to carry off the water at all seasons of the year. The Railway Company shall fence the westerly limit of the new roadway with a substantial post and wire fence. No other fences shall be erected.

“ C. The Railway Company may put down upon the present Chain Reserve a single track railway from the village of Chippawa southwards for a distance not to exceed two miles, and as indicated on the plan ‘ A ’ herewith, the course of said track to follow the general line of the fence bounding the Chain Reserve on the west as closely as safety will permit. In addition to the single track thus defined, one or more sidings will be permitted at or near the site of the proposed steamer landing, in the locations and of such lengths as may be approved of by the Commissioners. Until the completion of the works described in paragraph ‘ B ’ to the satisfaction of the Commissioners, the travelled way upon the reserve shall be preserved. Where the space is too narrow to admit of the track clear of the roadway, the space occupied by the track shall be planked over and made safe for the passage of vehicles, to the approval of the Commissioners.

“ D. When the Railway Company shall have acquired and vested in the Commissioners the lands above described, and shall have formed the roadbed and provided the ditches and watercourses in a manner satisfactory to the Commissioners, the Commissioners authorize the laying of a double track parallel with and co-terminus with the line of railway provided in paragraph ‘ C,’ and at the usual distance therefrom.

“ E. The Railway Company shall not occupy any of the lands east of the railway tracks, excepting for sidings near the steamer landing as before provided. Where the erosive action of the river may necessitate the building of crib work or other desirable form of protection from time to time, the same shall not be carried above the level of the tracks of the railway. The right to build such crib work or other protection, at exposed points, shall not be construed as affording the Railway Company any rights in the lands so used.

“ F. The Commissioners, so far as they can, shall license to the Railway Company the occupation of a water lot at the proposed site of steamer landing, but not exceeding two hundred and fifty feet along the river, for the erection of a wharf, but such wharf shall not project out into the river a greater distance than one hundred feet at any point, or such distance as may be necessary to reach deep water.

"G. Should the Commissioners desire at any time hereafter to open roadways or other crossings over the tracks of the Railway Company to afford access to the water or water lots, the Railway Company shall provide proper facilities for crossing the tracks.

"H. The character and finish of the works to be done under this agreement shall be subject to the approval, from time to time, of the Commissioners.

"J. If in the opinion of the Commissioners, there is sufficient space on the Chain Reserve, opposite to the lands formerly the property of Dr. Macklem, and within the village of Chippawa, to admit of a single line of railway without unduly encroaching upon the travelled highway, the Railway Company shall not be required to provide the full width of sixty feet to the west of the Chain Reserve over and across this property (a distance of 300 feet, more or less) as provided for in paragraph 'A' of this agreement, but may leave the same in abeyance until a double track is required. The single track in front of this property shall be located to the approval of the Commissioners.

"K. The Railway Company shall, without unnecessary delay, build the new road on the west side of the railway, and until the same has been completed will give the accommodation necessary for public traffic on the existing roadway, and will protect the Commissioners or any others interested against any claims by reason of the occupation of the highway.

"5. And for the due execution and performance of the said works the Railway Company may exercise all the powers which are vested in the Railway Company to be exercised under The Railway Act of Ontario, under the agreement of 4th December, 1891, and by the Act 55 Vict. chap. 96, validating the same.

"6. And it is further witnessed and agreed that the Railway Company shall operate the extension henceforth, and in the event of the Railway Company omitting to operate the same between the months of May and November in any year, the Railway Company, upon notice in writing by the Commissioners to the Railway Company, shall, within three months after such notice shall have been given, remove their rails and superstructure from off the extension, and all right and interest of the Railway Company therein shall thenceforth cease, except that the Commissioners will be liable to pay the Railway Company one-half the actual cost of the strip of sixty feet acquired by the Railway Company for the purposes and requirements of section 'A' of the fourth paragraph of this agreement, such actual cost being the sum paid by the proprietors for the acquisition of such land by contract or arbitration, as the case may be, and of which actual cost the Railway Company shall furnish the Commissioners with the amount and particulars of payment within six months from the date thereof, and in the event of arbitration proceedings, if any, not then terminated then within one month of the termination of such arbitration proceedings.

"7. And it is further agreed that at any time after three years and within four years from the date thereof, the Railway Company continuing to operate the said railway, the Commissioners shall have the option to determine that the extension, including the dock and terminus thereof, shall form part of the existing system of railway of the Railway Company between Queenston and Chippawa.

"8. The said option shall be signified in writing under the corporate seal of the Commissioners as given in pursuance of this agreement, and thereupon and within three months thereafter the Railway Company shall make such extension, railway in all matters as to materials, work and plant to conform, and be equal in respect of construction, permanent character of works, in accordance with the

provisions and specifications of the railway between Queenston and Chippawa, as agreed to be built under the agreement made between the Railway Company and the Commissioners on the 27th day of March, 1894, and as to the terminal point on the Niagara river in accordance with the 9th section of the agreement of the 4th of December, 1891, which said works shall be subject to the same requirements and approval of the Commissioners and the Commissioner of Public Works for Ontario as in the said agreement and by the Act, 55 Victoria, chapter 96, are provided.

“ 9. And in the event of the said option being exercised by the Commissioners, such extension shall form part of the railway system between Queenston and Chippawa, and shall thenceforth be subject to the same terms and conditions of tenure terminating at same periods, and subject to the same rights of compensation and modes of ascertainment thereof, and of rights of the Commissioners as between the Railway Company and the Commissioners, as specified and contained in the agreement of 4th December, 1891, and in the Act passed in the 55th year of Her Majesty's reign, chaptered 96, validating said agreement.

“ 10. To prevent misapprehension and ambiguity, it is hereby declared and understood that until the said option in the foregoing seventh paragraph of this agreement is exercised by the Commissioners, the Railway Company shall not be required to convert the said extension into a work up to the standard of their said existing railway.

“ In witness whereof, the corporate seal of the Commissioners has been hereunto affixed by their chairman, who has also signed the same, and the corporate seal of the Railway Company has also been hereunto affixed, and the president and secretary of the Railway Company have affixed their signatures, the day and year first above written.”

Signed, sealed and delivered by the
chairman of the Commissioners,
in the presence of

(Sgd.) JAMES WILSON,

and by the Railway Company
in the presence of

(Sgd.) G. T. CHISHOLM.

(Sgd.) J. W. LANGMUIR,
Chairman,

The Niagara Falls Park and River
Railway Company.

(Sgd.) E. B. OSLER,
President.

(Sgd.) R. A. SMITH,
Secretary.

Acting under the authority obtained at the last session of the Legislature (57 Vict., Cap. 13), and with the approval of the Government, agreements were entered into with the Clifton Suspension Bridge Company (Carriage) and the Niagara Falls (Railway) Suspension Bridge Company, in respect to the occupancy of portions of the Chain Reserve and talus by their structures. In each case it is proposed to erect new and more substantial bridges to accommodate the increasing traffic, and facilities were desired in order to accomplish this end. In

both instances the Commissioners exacted compensation for the present occupation of a portion of the Chain Reserve by the bridge piers by securing lands to the west of the Chain Reserve sufficient to widen out the driveway at these points. In these agreements the Commissioners also reserved a right of way for the projected low-level railway in the gorge near to the water's edge, and otherwise provided for the future interests of the Park.

These agreements are as follows:

"Agreement between the Commissioners of the Queen Victoria Niagara Falls Park and the Clifton Suspension Bridge Company.

"As per Schedule to Bill No. 41, 'An Act to amend the Acts respecting the Clifton Suspension Bridge Co., 1894'".

SCHEDULE.

"Memorandum of agreement made this 11th day of April, A.D. 1894, between the Commissioners of the Queen Victoria Niagara Falls Park (hereinafter called the Commissioners) of the first part, and the Clifton Suspension Bridge Company (hereinafter called the Bridge Company) of the second part;

"Whereas the Bridge Company are the proprietors of a suspension bridge across the Niagara river below the falls;

"And whereas the said Bridge Company have by their petition applied to the Parliament of Canada at its present session for an Act empowering them, amongst other things, to construct another bridge across the said Niagara river north of the present structure, together with the right of operating railway cars across the same;

"And whereas the said Bridge Company are by virtue of a grant from the Crown, dated the twenty-eighth day of January, 1873, the proprietors of a strip of land two hundred feet in width along the Niagara river, and otherwise more particularly described in the said grant and the plan therein referred to and subject to the exceptions therein contained upon part of which the present structure of the Bridge Company is situate;

"And whereas by certain Acts of the Legislature of Ontario, the Commissioners have vested in them that part of the highway which is excepted from the operation of the grant to the Bridge Company hereinbefore referred to;

"And whereas it may be necessary for the construction of a new bridge and the operation of electric or other cars over the same, moved by any power except steam, that the Bridge Company should have the right to cross the said highway or otherwise encroach or interfere with the same, and subject to arrangement with the Niagara Falls Park and River Railway Company to cross or otherwise interfere with its tracks;

"And whereas the Commissioners contemplate the construction at some future time of a low level railway line underneath the bridges of the Bridge Company near the water's edge of the Niagara river, and for that purpose desire to have the piers of the Bridge Company so constructed as not to interfere with the construction or operation of the said railway;

"And whereas the said parties have agreed to make the mutual concessions which each desires from the other;

"1. Now, therefore, this agreement witnesseth that in consideration of the premises and of the mutual covenants and agreements between the parties, the Bridge Company hereby grant unto the said Commissioners the absolute and

irrevocable right to construct, maintain and operate below the bridges of the Bridge Company and across the property hereinbefore referred to, granted by the Crown to the Bridge Company, a double track line of railway.

"2. It is agreed on the part of the Bridge Company that any piers or abutments or other portions or appliances of any bridge built by the Bridge Company shall be so located as to admit of the said low level railway as a double line, and on the part of the Commissioners it is agreed that they shall not injure, prejudice or interfere with any such piers, abutments, or appliances in the construction or operation of the said low level railway.

"3. The Commissioners hereby covenant and agree with the Bridge Company that the Bridge Company shall have the right to erect their bridge structure and operate their cars over the said bridge and across the highway upon and opposite to the lands vested in the Bridge Company as hereinbefore mentioned, and subject to arrangement with the Niagara Falls Park and River Railway Company, and to such order as the Railway Committee of the Privy Council may make to cross the tracks of the said Railway Company:

"4. In the event of the Bridge Company deciding to build upon the cantilever principle, they shall be at liberty to place such portion of their said structure as may be necessary under the said highway in front of the lands aforesaid, provided always that they shall not interfere with the using of the same by the public or the said Niagara Falls Park and River Railway Company.

"5. And in the event of the Bridge Company deciding to build a double deck bridge on the lands aforesaid, it shall be competent for them to cross the said highway with an arch or truss, subject to approval of the plans of the said crossing by the Commissioners and by the Railway Committee of the Privy Council.

"6. It is agreed that in the event of such a structure being decided upon for the new bridge as will require guys for its maintenance, that the same may be placed or affixed to portions of the bank belonging to or under the control of the Commissioners, and also that the guys to the present structure shall not be interfered with, and also that it shall not be necessary for the Bridge Company to change or alter the location of the towers of the present bridge. Provided always that the said guys must be so arranged as not to interfere with the said low level railway, and that the Bridge Company will from time to time, at the request of the said Commissioners, so change the location of the said guys outside the lands of the Bridge Company to such point or structure as the Commissioners may desire, but no such change shall be directed as shall endanger the safety of the said bridges.

"7. It is also agreed that the cables used by the Bridge Company in its present bridge shall not be interfered with, and they shall also be at liberty to stretch across the said highway any cables which it may be necessary for them to use in connection with the new structure or in substitution of any cables at present in use or hereafter to be used in connection with the said bridge, or either of them.

"8. The Bridge Company shall grant and quit-claim to the Commissioners all the right, title and interest of the said Bridge Company of, in and to so much of their lands on the west side of the Chain Reserve as may be contained by a line running from the present southeast corner of the verandah of the Cliff House to a point situate twelve feet to the west of the front line of Hawley's Museum for the purpose of dedicating the same to the public as a portion of the adjoining highway.

"9. The covenants and agreements herein contained shall be binding upon the said Commissioners and their successors, and upon the said Bridge Company, their successors and assigns.

"10. The Bridge Company shall not exercise any powers vested in such company in relation to the lands and property vested in the Commissioners, nor shall the Bridge Company have any rights in relation to the same other than such as are in this agreement contained, or as may hereafter be agreed upon between the Commissioners and the said Bridge Company.

"11. It is agreed that in the event of the Bridge Company failing to get an Act from the Parliament of Canada at the present or next session thereof for the purposes hereinbefore referred to and constructing a bridge thereunder, this agreement and all the covenants and agreements therein contained shall be absolutely null and void, but upon the passage of such Act of Parliament this agreement shall take effect and be binding upon the parties thereto from the time of the passing of such Act.

"In witness whereof the said parties have hereunto set their hands and seals.

Signed, sealed and delivered in
the presence of

(Sgd) JOHN S. READ,
Teller.

JOHN W. LANGMUIR,
Chairman.

[Corporate seal of the Commissioners
of the Queen Victoria Niagara
Falls Park.]

CHARLES H. SMYTH,
President.

[Corporate Seal of the Clifton Suspension
Bridge Company.]

"Memorandum of agreement made this third day of May, A.D. 1894, between the Commissioners of the Queen Victoria Niagara Falls Park, hereinafter called the Commissioners of the first part; the Niagara Falls Suspension Bridge Company, hereinafter called the Bridge Company of the second part; and the Niagara Falls Park and River Railway Company of the third part.

"Whereas the Bridge Company are proprietors of the Railway Suspension Bridge crossing the Niagara river below the falls;

"And whereas the said Bridge Company have by their petition applied to the Parliament of Canada at its present session for an Act empowering them, amongst other things, to construct another bridge across the Niagara river, together with the right of operating railway cars, electric or cable, or other railway across the same;

"And whereas by certain Acts of the Legislature of Ontario, the Commissioners have vested in them certain lands herebefore vested in the Crown;

"And whereas it is desirable in the interest of the Park that certain lands, the property of the Bridge Company, should be vested in the Commissioners;

"And whereas it is desirable that certain other lands, now vested in the Commissioners, should be granted by irrevocable and perpetual license by the

Commissioners to the Bridge Company for the purpose of the undertaking of the Bridge Company ;

“ And whereas the parties hereto have agreed to make the mutual concessions which each desires from the other ;

“ 1. Now, therefore, this agreement witnesseth, that in consideration of the premises, and of the mutual covenants and agreement between the parties, the Commissioners hereby grant and confirm the title in fee to the Bridge Company of the lands on the Chain Reserve now occupied by the bridge structure and offices and bridge supports of the Bridge Company. And the said Commissioners do also hereby grant to the Bridge Company irrevocable and perpetual license the exclusive occupation of a piece of land seventy feet in width on the north side, and a piece of land seventy feet in width on the south side of the lands, the title to which has been confirmed by the conveyance of the Commissioners hereinbefore referred to.

“ And also down the talus or slope of the bank to within eighty feet of ordinary high water mark of the Niagara river, measured down the slope, or sixty-six feet measured horizontally from the said high water mark.

“ The plan signed by the parties hereto and filed with this agreement in the department of the Secretary of State for Canada, shows the land, the title to which is confirmed by the Commissioners, which said parcel of land is tinted pink on the plan, and the said parcel of land as to which the said Commissioners have granted an irrevocable and perpetual license is shown upon the said plan tinted green.

“ 2. The Bridge Company hereby grant and convey to the Commissioners for the purposes of a public road or highway, all the lands shown on the said plan as colored yellow, and lying between the westerly limit of the chain reserve and a line drawn from the northerly boundary of the Bridge Company's property parallel with the stone abutment of the Bridge Company, and distant easterly twenty feet therefrom, and inclining from the point opposite the southerly corner of the abutment to a point on Bridge street in line with the said abutment. And in addition the Bridge Company hereby grant and convey whatever right the Bridge Company have in and to the parcel of land formerly owned by John A. Orchard, and conveyed by him to the said company, and forming part of the highway to the north of the lands colored yellow on said plan.

“ 3. And it is agreed between the parties hereto that these presents, or any covenants by any party hereto, hereinafter contained, are not to be construed as expressing or implying any covenants for title or quiet possession.

“ 4. The Commissioners covenant with the Bridge Company that the said lands hereby granted by the Bridge Company to the Commissioners, are to be used for the purpose of a public street, and the said Bridge Company are to have the free use thereof for access to and from the bridge as at present constructed on the level and overhead, or for any bridge that may be hereafter constructed for themselves ; and, also, to and from the bridge at present constructed, or any bridge that may be hereafter constructed, to the lands owned by the said Bridge Company to the west of the said piece of land colored yellow. And the Commissioners also covenant with the said Bridge Company that the said lands shall be used as a public road for the free use of all persons travelling thereon, either in carriages or on foot or otherwise.

“ 5. The said Commissioners covenant that the said Bridge Company shall have the right of crossing the said road or highway and the said lands above described, marked yellow, and also the said lands hereby granted and conveyed to the

Commissioners with a single or double track, electric or cable or other railway, to be moved by any power except steam, to reach the lands of the Bridge Company to the west thereof, and are to have the right to cross on the level the tracks of the Niagara Falls Park and River Railway in such manner and upon such terms as may be agreed upon between the said Bridge Company and the said Niagara Falls Park and River Railway, and subject to the directions which may be approved by the Railway Committee of the Privy Council; and in the event of the Bridge Company failing to make an arrangement with the Niagara Falls Park and River Railway for such crossing, the Bridge Company are to have the right to cross the tracks of the Niagara Falls Park and River Railway in such manner and according to such directions and upon such terms as the Railway Committee of the Privy Council may approve.

“6. It is agreed between the parties hereto, that the Niagara Falls Park and River Railway Company shall have the right to lay a double track, and no more, for their electric railway upon the said highway, it being agreed, however, that the said Niagara Falls Park and River Railway Company shall not place their rails nearer to the present entrance of the Bridge Company than at present, and that any second track which may be placed by the said Niagara Falls Park and River Railway Company shall be laid on the westerly side of the existing track.

“7. It is also hereby agreed between the Commissioners and the Bridge Company, that in the event of the Bridge Company desiring for the purposes of their present structure or for the construction of a new bridge, to alter their piers or abutments as at present placed, the said Bridge Company are to be at liberty to do so, and it is hereby agreed between the parties hereto that the grant of the said lands, marked yellow, and of the other lands by the Bridge Company to the Commissioners, are subject to the right of the Bridge Company to retain their piers or abutments as at present located, and with the privilege to the Bridge Company to alter or change the size of their piers and their location to any other point upon the said parcel of land marked yellow and the other parcel of land hereby granted by the Bridge Company to the Commissioners, subject, however, to allowing free access over the said lands for a public street for all proper purposes, and, also, so as not to interfere with the tracks of the Niagara Falls Park and River Railway as located on the said street.

“8. It is hereby agreed between the parties hereto, that the Bridge Company shall have the right upon the lands granted and licensed to them and marked respectively upon the said plan pink and green, to place any erections or structures that may be necessary for the renewing of their present structure or for the construction of a new bridge on the cantilever or single arch principle or otherwise, and for the necessary offices in connection with the same, the Bridge Company agreeing with the Commissioners, that if, after the construction of the said new work, any portion of the lands colored pink or green upon the said map, may not be necessary in connection with such structure, that such portion of such lands as may be on the bank shall be maintained by the said Bridge Company as an ornamental plot or flower garden.

“9. It is agreed that in the event of such a structure being decided upon for a new bridge as will require guys for its maintenance, that the same may be placed or affixed to portions of the bank belonging to or under the control of the Commissioners; and, also, that the guys to the present structure shall not be interfered with, provided always that the said guys must be so arranged as not to interfere with any low level railway that may be sanctioned by the Commissioners, and that the Bridge Company will from time to time, at the request of

the said Commissioners, so change the location of the said guys outside the lands of the said Bridge Company to such point or structure as the Commissioners may desire, but no change shall be directed as shall endanger the safety of the bridge.

"10. It is agreed that the Bridge Company shall not exercise any powers vested or to be vested by the said Act in such company, in relation to the lands and property vested in the Commissioners, or have any rights in relation to the same other than such as are in this agreement contained, specified and described, or unless as may hereafter be agreed upon between the Commissioners and the Bridge Company.

"And the parties hereto of the third part hereby consent to and approve of the foregoing agreements.

"In witness whereof the parties hereto have hereunto set their corporate seals."

Signed, sealed and delivered in the presence of	(Sgd.) J. W. LANGMUIR, Chairman Q. V. N. F. Park Commissioners.
(Sgd) R. G. COX.	(Sgd.) THOS. R. MERRITT, President Niagara Falls Suspension Bridge Co.
	(Sgd.) EDWARD B. OSLER, President Niagara Falls Park and River Railway Co.

Under the authority of the Act of the Legislature before referred to (57 Vict. chap. 13) the foreshores of the river lying in front of the Park proper, and extending from the highwater mark out to the international boundary line, were vested in the Commissioners by Order in Council of date 6th July, 1894.

Several important and necessary additions to the Park domain were effected during the year. A large part of the territory lying under the high bank of the river, one mile below the whirlpool, and known as "Foster's Flats" had been disposed of by the Crown prior to Confederation. As it was considered desirable for many reasons to extinguish the private rights to these lands, they were acquired by arbitration proceedings; and the title of the Commissioners to all the lands forming the talus, and extending from the Falls northwards to the Military reserve at Queenston, is now complete, with the exception of a very small piece immediately south of the reserve, the title to which was in Sir David Macpherson and is now under the control of the Electric Railway Company. The Commissioners, however, have a chain in width from the water's edge in front of this portion, so that its acquisition is not a matter of very great moment.

The property thus secured, fifty-five and a half acres in all, lying as it does along the shore of the river for about three-eighths of a mile and immediately in front of the wildest portion of the lower rapids, is a very desirable addition to the Park; and in view of the ultimate construction of the low-level railway it will be of great value for a picnic ground and place of public resort. It has long been celebrated for its exceptional wealth of plant life, and to the student of geology its location and structure are of special interest.

The Commissioners have also completed the acquisition of "Wintergreen Point," a bold promontory in the rocky wall of the gorge immediately overlooking "Foster's Flats." This piece of three and a half acres was cut off from the adjoining property by the line of the Electric Railway and enclosed by it and the Chain Reserve along the top of the bank. When cleared up and put in order it will prove a delightful prospect point from which to survey the surrounding scenery and mark the devious course of the great river.

In order to straighten the driveway in front of a portion of the town, it was found desirable to acquire a narrow strip on the west side of the Chain Reserve. This affords a proper width at a point where physical obstacles necessitated the construction of the electrical railway farther from the edge of the cliff than at other places and saves a double crossing of the tracks by traffic vehicles.

Authority having been obtained at the last session of the Legislature, an additional issue of debentures to the extent of \$75,000 was made during the year. The new issue was made subject to the \$525,000 issued in 1887, matures at the same time, viz., 1927, and bears the same rate of interest, that is, four per cent. The price obtained was $102\frac{57}{100}$, as compared with $101\frac{84}{100}$ obtained in 1887. The proceeds enabled the Commissioners to wipe out the balance due to the Imperial Bank, pay for the lands acquired, make some urgently needed improvements to the property, provide for the debenture interest, carry on the usual works of maintenance and close the year with a balance to the good.

As was noted in last year's report the rental payable by the Canadian Niagara Power Company under the terms of their agreement of 7th April, 1892, will begin this year. The \$25,000 to be received from this source, together with the other fixed revenues, will amply provide for all the ordinary expenditure in connection with the Park and leave a reasonable sum available for permanent improvement to the property.

Application having been made by the Niagara Falls Park and River Railway Company for permission to erect an incline north of the Maid-of-the-Mist Ferry Landing, in accordance with the terms of the agreement of 4th December, 1891, very careful examination was made of the ground by the Commissioners in order to secure a site for the incline and the buildings in connection therewith which would not interfere with the views from the approaches to the Park to a greater degree than was absolutely necessary. A site for the building at the top was finally determined on, which fills the precise field of view previously occupied by a mixed clump of scraggy red cedars and sumacs. The design and finish of the building, as erected, are most artistic and ornate; and the construction of the incline is of the most substantial and complete description. The motive power used is electricity.

Plans showing the general design of the works proposed to be undertaken in the Park by the Canadian Niagara Power Company were submitted for the approval of the Commissioners, as required by the terms of their agreement of April 7th, 1892. In view of the magnitude of the interests involved the Government, at the request of the Chairman, appointed Sir Casimir Gzowski, K. C.M.G., a special commissioner to assist the Commissioners in passing upon the plans of the projected works, and more particularly with respect to the engineering features of the plans submitted. After a full consideration of the three several and distinct systems of development submitted by the Power Company, approval was given with the consent of the Government, to one of the systems proposed, which would conserve the scenic features of the Park to the fullest extent and put the bulk of the works underground. A modified approval was also given to one of the alternative systems which, it was claimed, was specially

designed to obviate some of the most serious difficulties apprehended from running ice and frazil in the winter season. In this latter system nearly the whole of the works would be underground. The officials of the Company anticipate an early commencement of the work.

Early in the season it was found that substantial protection works along the main shore of the river behind the Dufferin Islands were absolutely necessary in order to save the beautifully wooded banks from being irreparably injured by the erosive action of the river, and a considerable expenditure was incurred in this work. About 800 feet in length out of a total of 2,050 feet has been constructed and the balance will require to be taken in hand early this year. This work will, when completed, form a nicely shaded promenade around the whole reach of the river from Clark Hill to the Dufferin Gate, and add very much to the attractiveness of this portion of the Park.

The picnic grounds were greatly improved and enlarged early in the spring, and a large rustic pavilion was erected with a very comprehensive system of hot and cold water supply devised in connection with it for the convenience of the excursion travel. The number of excursionists visiting the Park has been greatly increased by the conveniences afforded by the Electric Railway, and the opening of the River Line to Buffalo will doubtless greatly augment the numbers when the attractions of the route become better known. A neat and commodious rustic shelter has been built at Inspiration Point, and this very delightful vantage ground from which to view the panorama of the Falls is now well equipped for the use of the public. A number of other improvements in the Park domain were undertaken which will be found more particularly described in the report of the Superintendent appended hereto.

The receipts and expenditures for the year ending December 31st, 1894, are herewith submitted, the details of which will be found in the tabulated statement attached to the Superintendent's report.

RECEIPTS.

From rentals of photo, elevator and refreshment privileges.....	\$ 8,200 00
Niagara Falls Park and River Railway.....	10,000 00
Island tolls on carriages.....	1,483 75
Sundry sales, etc., etc.....	349 94
Imperial Bank, interest on deposits.....	412 89
Net proceeds of sale of debentures.....	77,285 93
	<hr/>
	\$97,732 51

EXPENDITURES.

Permanent works on Capital Account:

Paid Imperial Bank, amount of overdraft, December, 1893.....	\$35,721 90
Cribwork, protection and other works of permanent improvement in the Park..	\$7,002 66
On account of metalling, etc., the river driveway in front of the town.....	3,445 70
For lands acquired at Foster's Flats, etc..	6,244 63
Legal and arbitration expenses.....	1,313 90
Sundry small items.....	234 00
	<hr/>
	18,240 89

EXPENDITURES.—*Continued.*

Maintenance charges :

Salaries and wages, including wages of laborers	\$10,791 20	
Materials, etc	1,595 57	
Office expenses.....	257 55	
Commissioners' travelling expenses	296 54	
Miscellaneous	331 71	
	<hr/>	13,272 57
Coupon interest on debentures and charges	22,565 46	
Interest on bank overdraft.....	1,468 25	
Balance on deposit Imperial Bank, December 31st, 1894.....	6,463 44	
	<hr/>	<hr/>
		\$97,732 51

All of which is respectfully submitted.

J. H. LANGMUIR,
Chairman.

JOHN A. ORCHARD.

GEORGE H. WILKES.

QUEEN VICTORIA NIAGARA FALLS PARK.

ANNUAL REPORT OF THE SUPERINTENDENT FOR THE YEAR 1894.

To the Commissioners of the Queen Victoria Niagara Falls Park :

GENTLEMEN,—I beg to submit my report for the year ending 31st December, 1894.

The winter of 1893-4 was a comparatively mild one in the Niagara peninsula, and consequently we were not troubled as much as usual with ice or frozen spray in those portions of the Park exposed to damage from this cause. An ice bridge formed in the gorge on the 11th February and remained firm for over six weeks, finally breaking away on the 7th April. The beautiful and fantastically disposed tasselled draperies of frozen spray, referred to in last year's report, were again developed in wonderful profusion on the face of the cliff near Table Rock and proved very attractive to visitors.

Skating Rinks.—Efforts were made to afford as much enjoyment as possible to winter visitors, and the ice which formed on the ponds near the principle entrance to the Park was kept clear of snow and in good condition for skating. The opportunity thus afforded for the enjoyment of this exhilarating exercise in the open air, which cannot be secured elsewhere with safety in the immediate vicinity of the Falls, was eagerly embraced by large numbers of citizens from the town, village and adjacent rural districts, and, also, by many persons from the American side. This is the most conveniently located of the available water spaces in the Park for skating purposes ; but as the water supply to the ponds is wholly from springs it does not freeze as quickly nor keep firm and safe as long as river water. An attempt was made to form a rink on the reach of smooth water behind Cedar Island, but owing to the prevalence of spray at this locality it is very difficult to maintain a proper surface on the ice for any length of time. The lower ponds, however, are spacious, well protected by the high wooded bluff on the west, and are under the supervision of the Constable in charge of the "Mowat Gate," and will answer for the present. When the works necessary to convert the gravel pit into an ornamental lake are completed, a large rink may be there formed, but it will not be as convenient of access to the general public.

Improved Facilities for Visitors.—The early spring enabled out-door work to be begun betimes in the Park, and the grounds were brought into good shape and maintained in that condition throughout the season. The greatly augmented excursion travel of 1893, resulting from the opening up of the Electric Railway and the consequent facility with which large masses of people reach the Park from Toronto and other large centres, demonstrated the necessity for greatly increased provision being made for their accommodation. After carefully studying the question it was determined to enlarge the picnic grounds by changing the roadway leading into the Park from the western entrance on Murray Street, and by swinging it around to the north in a bold sweep, add the old roadbed and a large piece of meadow land beyond it to the area already set apart for this purpose. This land was therefore drained, graded and sown quite early in the season ; and a number of large foliage trees transplanted from elsewhere in order to afford shade, and the whole made ready for the rush of excursionists in July. The old dwelling house which stood on the south side of the original line of road was torn down and a lofty pavilion of cedar work and elm bark erected upon its

foundations, and gravel paths constructed, which lead to it from various directions. As this is a convenient point and near enough to answer as a centre for the picnic grounds, the lower part was arranged to contain the hot water apparatus. Many of the excursions coming to the Park are composed of several Sunday Schools and their friends. Others are large manufacturing or mercantile aggregations of employees. These usually supply their own provisions, and desire only facilities for making tea and coffee without expense. As some of these combinations number from ten to eleven thousand, it is apparent that a stove and tea kettle are not sufficient to meet their requirements, especially as they all usually want to enjoy refreshments immediately on arrival. A series of three upright boilers of 120 gallons capacity was, therefore, installed and connected by suitable piping to heating coils fixed in a large sized wood range capable of burning the limbs of trees and refuse timber of any kind. From these boilers supply is had to taps conveniently placed for access by which an abundant supply of hot water, at the boiling point, is furnished *free* to all. Cold water is also supplied *ad libitum*, both from the river and from springs. The apparatus for boiling the water is concealed underneath the floor of the pavilion and is in charge of a competent official. The closet conveniences which had been provided in connection with the large waiting room at the rear of the restaurant building were found to be inadequate and were much enlarged and improved. A matron was placed in charge of the ladies toilet to afford information and to keep the rooms clean and tidy.

New Shelters.—At “Inspiration Point,” a select spot on the edge of the high bank of the river, from which choice views of the falls and gorge are obtained, the platform was enlarged and a spacious open rustic shelter erected for the accommodation of appreciative visitors. The design of the structure is cruciform in plan with high lantern storied octagonal terminals at either extremity of the long arms. Ornamental seats of rustic work form part of the design, and it is intended to have ornamental and flowering creepers of various kinds over the structure in the spring. The under side of the roof has yet to be ceiled with white cedar bark. The character of the building has been highly commended, and when the work is fully completed the *tout ensemble* will, without doubt, form an attractive feature to the landscape.

Driveways Widened.—At the driveway turnouts near “Inspiration Point” and “Ramblers’ Rest,” the roadways have been widened to permit of two carriages passing freely, and wide cut stone curbings substituted for the narrow ones previously used.

Stone Curbing Extension.—At Table Rock the dressed stone curbings were extended in either direction and the roadway graded to correspond with the levels of the same.

Improvements at Sumac Island.—The old wooden carding mill at Sumac Island which has long been one of the ancient landmarks of the district, but whose timbers were found to be in a very decayed condition, was pulled down, and only so much of the foundation of the structure left as would protect the pump supplying Clark Hill with water, a right which is reserved for that purpose in perpetuity by the deed of the property from Mr. Sutherland Macklem. The ground occupied by the site of the building was levelled and graded and covered with good soil which will be planted next spring with suitable trees and shrubs.

On the river side of the old mill and immediately in front of the wildest portion of the “White Horse Rapids,” a broad foot bridge has been constructed, leading the main pathway by the very edge of the madly rushing water. The stringers of this bridge are of round unbarked white pine and rest upon rustic

piers of cedar work. The railings are also of cedar wrought out in design, and the whole forms a pleasant feature of the landscape. The bridge affords visitors an unrivalled view of the rapids and cannot but be much appreciated by them. A rustic arbor will be erected here in the spring.

Shore Protection.—In my report of last year attention was drawn to the necessity for immediate action in providing protection works around the base of the high bank of the river opposite the Dufferin Islands. For the whole length of this reach of the river the stream is very swift, and as the outline of the shore is convex the force of the current is exercised in cutting into the bank where it is not protected. Many years ago a light timber work projection appears to have extended around the whole of the distance, but it has been undermined and carried away from time to time until now only about one hundred feet in all remains, and of this not one-half is of any practical use.

Early in the spring it became apparent that prompt action would be required to save large spaces of the nicely wooded side slopes from ruin, and work was begun at the two most accessible points and pushed forward as rapidly as possible. In the reconstruction of this protection it was decided that provision be made for a promenade being carried along the whole of the distance and the beautiful "Riverside Ramble" extended to Dufferin Gate. Heavy cribwork has been constructed for a distance of 600 feet down stream from the Dufferin Gate, and a short distance farther on another reach of 200 feet was built, covering two of the points where great slides in the bank took place years ago, and where further damage was imminent. The remaining portions of the unprotected bank, some 1,250 feet in all, will require to be taken in hand in the spring. This work is somewhat costly as the large quantity of stone required for loading the cribs and filling in behind them to stiffen the toe of the bank has to be brought some distance. When completed, however, the work will for many years amply protect the shore from further damage, and provide a delightful addition to the fascinating promenades of this portion of the Park.

Where the "White Horse Rapids" lash the shore of Sumac Island the old cribwork, which had been loaded with small stones only, had gone to pieces, and year by year the shore of the island and of the mainland immediately below were being eroded by the tremendous wash from the rapids. The bottom was carefully cleaned and boulders and substantial cribwork protection was placed in front of the island and carried a few feet below it. An extension of about 100 feet will be required in the spring in order to complete this work and direct the sweep of the current off from the shore.

New Trees and Shrubs.—A small but carefully selected stock of young ornamental trees and shrubs, not now found in the Park, was obtained from the most reliable nurserymen and put in the Park nursery to develop. Many of them are now fit for transplanting, and doubtless we will obtain good results from this source the coming year. We have also a large stock of very fine cuttings of shrubbery of various kinds of two or three years' growth, which will be available for the year's planting out and will help much to fill the bare spots.

A complete collection of specimens of all the different kinds of trees and shrubs which will grow in this climate should be obtained for the Park at the earliest possible date, and if it be at all practicable a substantial effort should be made in this direction the ensuing year. Of necessity the stock which we may be able to obtain of these specimen trees will require years to develop, and the sooner a beginning on a comprehensive scale is made the sooner will the Park afford that measure of instruction and delight to the student of botany and to the average visitor as well which its exceptionably favorable location and climatic conditions warrant.

Flower Garden.—The flower garden in front of the picnic grounds was, as usual, well kept and furnished with a nice display of annuals. This little plot brightens up the place very much, and is a source of great pleasure to visitors owing to the perfection to which the flowers develop under their nightly bath of spray. In enlarging the grounds provision has not been made for extending the flower beds, it being considered more desirable to ornament with hardy herbageous plants which, when once planted, will last forever.

New Pathway.—A new gravelled walk was constructed to the west of the electric railway tracks from the restaurant to Table Rock House, and a series of beds made in the margin in which we hope to try rhododendrons and other choice highly flowering plants. In order to afford better facilities for planting out our flower beds in the early summer a small greenhouse has been erected near the gardener's residence, and, through the courtesy of several gentlemen, a good beginning has been made in providing stock for this purpose at small outlay.

Double Track for Electric Railway.—The doubling of the track of the electric railway through the Park of course required some few changes in the grounds and the transplanting of some of our shrubbery. The effect of the two tracks has not, however, been detrimental to the scenery, the strip of lawn between the tracks and the uniformly spread and finely broken layer of macadam covering the ties and reducing the obtrusiveness of the railway to a minimum. The works to be performed by the railway company under the specifications furnished them have not been fully completed yet.

The gravel pit has had the sides nicely sloped and a water pipe of sufficient dimensions to keep it filled with water at all times laid from the river so as to ensure a supply by gravitation. An attractive feature will be made of this hitherto unsightly excavation by forming an ornamental pond with islands for the culture of aquatic plants of various descriptions and possibly other forms of life as well.

Macadamizing River Road.—Outside the Park proper a large expenditure was incurred in connection with the roadway leading along the river bank in front of the town. This roadway has long been in a very bad condition, no repairs of consequence having been made to it since it was acquired in 1887, and was then considered out of order. In granting permission to the Electric Railway Company to double track the line, of necessity, the roadway had to be taken into account, as in many places the travelled portion was interfered with by the laying of the second track. Under the specifications governing the work the Railway Company were required to grade a roadway 18 feet wide to a level with the railway for the whole distance of 2 2-10 miles occupied by the roadway, and to properly macadamize one-half of this distance, the remaining half to be macadamized by the Park. Under an arrangement made with the town authorities, part of the cost of the work to be done by the Park was to be borne by the town. The whole of the roadway including the footpath has now been put in good order, with the exception of the stoning of a small piece at the north end of the town between Muddy Run and the Whirlpool over which there is but little travel. The macadamizing of this piece will be completed when the town authorities implement their agreement and pay the one thousand dollars promised.

Outlying Territory.—North of the town along the chain reserve and talus which extend to Queenston, very little work has been done. The dead wood along the edge of the high bank, which looked unsightly from the cars of the electric railway, was all cut down and cleared away, and a little cleaning up done at Wintergreen Point. A very great improvement could be made to this long reach of territory by judicious planting between the railway and the cliff at certain

points, of low flowering shrubbery that would brighten up the field of view, and by the setting out on the landward side where the soil will admit of it, of some good indigenous trees, such as the flowering dogwoods and soft maples.

Flora of the Park.—During the year the Park gardener, Mr. Roderick Cameron, has been assiduous in his efforts to complete the collection of the flora found growing without cultivation within the Park domain. Notwithstanding that the lichens and some other families have not been taken in hand, we have now considerably over nine hundred distinct species, embracing 105 families and 147 genera collected, mounted and catalogued as the result of his zeal and intelligence. The collection is very highly praised by Professor John Macoun, the chief botanist attached to the Geological Survey of Canada, who has studied the botany of this particular field for over thirty-five years, and by other eminent authorities in Canada and the United States. Prof. Macoun has very kindly verified the identity of every one of these specimens, so that we are not in doubt as to the correctness of the names and families catalogued.

Many of the species are very rare and some of them had not previously been found elsewhere in the Dominion. The collection is on view in the Superintendent's office in the Park, where it may be seen at any time by students of botany or others interested in this delightful science.

The catalogue of plants will be found attached hereto. I would strongly recommend that 500 copies of this catalogue be issued in separate form for the use of high school pupils, and others who take an interest in botany.

Fatal Accident in the Park.—A serious accident occurred in the Park on the 15th September. An elderly lady from New Jersey, who came to view the Falls accompanied by her niece, having spent the day in the Park, was left alone for a few minutes in the pavilion at Inspiration Point. As she was very deaf she was cautioned by her friends to remain there until their return. For some reason, however, she sauntered across the tracks of the electric railway and was run down and killed. Her relative, who was an eye witness of the shocking affair, attributed it entirely to the unfortunate lack of hearing on the part of the old lady and exonerated the railway officials from all blame.

Notwithstanding the very large numbers of visitors carried by the electric railway to and from the Park during the year, no other accident has been recorded, a fact which reflects credit upon its careful management.

Visitors.—The number of visitors to the Park in 1894 shows a very considerable falling off from last year, the totals for the two past years being for

The year 1893.....	543,924
“ 1894.....	442,828

It may, however, be noted that the figures for 1894 are higher than those recorded for any year previous to 1893 by 170,343. From the following tabulated statement it will appear that the greatest falling off in visitors was in respect to that class locally termed *tourist* travel or such as usually enter the Park in carriages. This class was in 1893 unusually large owing, doubtless, to the attractions of the World's Fair at Chicago, and in 1894 it was much limited in conse-

quence of the widespread and general depression, and stringency in business and financial matters. A comparison of figures for these years gives the following results :

	1893.	1894.
Number of carriages entering the Park.....	65,921	34,741
“ visitors in carriages	256,724	125,415
“ “ by electric railway (approximate).....	146,014	209,675
“ pedestrians	141,186	107,738
Totals for each year.....	543,924	442,828

The accompanying statement gives the attendance more in detail for each month during the year 1894 :

1894.	Number of carriages entering the Park.	Number of visitors in carriages.	Number of visitors by electric railway. (Approxi- mate.)	Number of pedestrians.	Total.
January.....	749	2,098	1,021	3,631	6,750
February	1,671	5,751	1,375	2,641	9,767
March	966	2,694	1,754	2,591	7,039
April	1,449	4,374	1,830	6,338	12,542
May	2,012	6,736	2,525	9,383	18,644
June	3,177	11,129	12,110	10,469	33,708
July	5,607	22,509	57,336	21,699	101,544
August	7,600	30,488	82,772	28,877	142,137
September.....	5,342	20,514	36,282	11,607	68,403
October	2,947	9,729	8,215	6,215	24,159
November	1,591	5,167	2,575	2,544	10,286
December	1,360	4,226	1,880	1,743	7,849
Totals.....	34,471	125,415	209,675	107,738	442,828

Good Order Maintained.—Notwithstanding the large number of visitors in midsummer, good order was maintained throughout, and, although on several occasions gangs of professional crooks followed the excursions to the Park yet,

owing to the vigilance of the Park constables, aided by Chief Young of the Ontario police force and some members of his staff, no depredations worth noting were committed.

Year by year the attractions and accommodations which the Park affords to visitors are becoming better known to our people throughout the Province, and with the excellent facilities which the electric railway with its double track now affords the public in reaching it, there is every reason to expect that the public will learn to appreciate its advantages.

The receipts for the year are indicated in detail in the following tabulated statement.

All which is respectfully submitted.

JAMES WILSON,
Superintendent.

NIAGARA FALLS,
20th February, 1895.

1894.	Tolls over islands.	Rentals of privileges.	Sundries.	Interest on bank deposits.	Total.
	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
January	8 50	2,050 00	52 00	.....	2,110 50
February	11 75	.....	8 00	.....	19 75
March	47 00	.....	22 70	.....	69 70
April	21 25	4,550 00	.....	.....	4,571 25
May	84 25	.....	4 00	256 47	344 72
June	211 00	2,500 00	36 35	.....	2,747 35
July	238 25	2,050 00	.....	.....	2,288 25
August	367 25	.....	.....	.....	367 25
September	259 75	.....	.....	.....	259 75
October	168 25	4,550 00	.....	.....	4,718 25
November	35 50	.....	226 89	156 42	418 81
December	31 00	2,500 00	.....	.....	2,531 00
Total	1,483 75	18,200 00	349 94	412 89	20,446 58

JAMES WILSON,
Superintendent.

QUEEN VICTORIA NIAGARA FALLS PARK.

CATALOGUE OF PLANTS

WHICH HAVE BEEN FOUND GROWING WITHOUT
CULTIVATION IN THE

PARK AND ITS OUTLYING TERRITORIES.

COLLECTED, MOUNTED AND CATALOGUED FOR THE PARK HERBARIUM
IN THE SUPERINTENDENT'S OFFICE

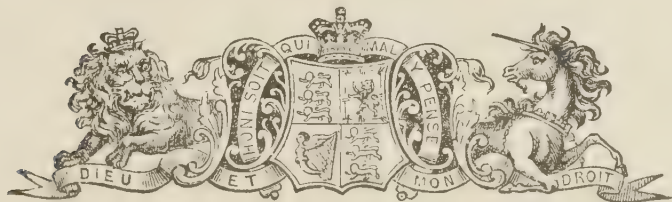
BY
RODERICK CAMERON,
Chief Gardener.

APPENDIX

TO THE REPORT OF THE SUPERINTENDENT OF THE PARK FOR THE YEAR

1894.

PRINTED BY ORDER OF THE LEGISLATIVE ASSEMBLY.



TORONTO:

WARWICK BROS. & RUTTER, PRINTERS, &C., 68 AND 70 FRONT STREET WEST.
1895.

QUEEN VICTORIA NIAGARA FALLS PARK.

JAMES WILSON, ESQ.,

Superintendent.

DEAR SIR,—Acting under your instructions I have, at odd moments during the past four years, collected a large number of specimens of the better known plants found growing without cultivation in the Park; and have mounted and catalogued them for convenience of reference.

So far 105 families, comprising 417 genera and 915 species, have been found; and I have no doubt that many others will yet be discovered. As you desired to have the catalogue embrace only such plants as have been mounted and are on evidence in the Herbarium, I have not included any of the many other species not found by me but which have been noted by visiting botanists from time to time in the immediate vicinity of the Park.

I have to thank Professor John Macoun, the eminent Chief Botanist of the Geological Survey of Canada for verifying the names of the several species and for many acts of courtesy and words of encouragement.

The lichens and other families have not yet been taken in hand for want of time. These will add a considerable number of species to the number above noted.

The whole respectfully submitted.

RODERICK CAMERON,

Gardener.

NAMES OF THE NATURAL FAMILIES OF PLANTS.

Order.	No. of genera.	No. of species.
1 Ranunculaceæ	10	22
2 Magnoliaceæ	2	3
3 Anonaceæ	1	1
4 Menispermaceæ	1	1
5 Berberidaceæ	3	3
6 Nymphæaceæ	1	2
7 Sarraceniaceæ	1	1
8 Papaveraceæ	3	3
9 Fumariaceæ	1	2
10 Cruciferæ	15	30
11 Capparidaceæ	1	1
13 Cistaceæ	1	1
14 Violaceæ	2	13
15 Caryophyllaceæ	8	16
16 Portulacaceæ	2	3
18 Hypericaceæ	2	7
20 Malvaceæ	3	4
21 Tiliaceæ	1	2
22 Linaceæ	1	1
23 Geraniaceæ	3	6
24 Rutaceæ	2	3
25 Illicineæ	1	1
26 Celastraceæ	2	3
27 Rhamnaceæ	1	1
28 Vitaceæ	2	3
29 Sapindaceæ	4	6
30 Anacardiaceæ	1	5
31 Polygalaceæ	1	3
32 Leguminosæ	13	32
33 Rosaceæ	13	46
35 Saxifragaceæ	6	12
36 Crassulaceæ	2	3
38 Hamamelaceæ	1	1
39 Haloragææ	1	2
41 Lythraceæ	2	2
42 Onagraceæ	5	11
Ficoideæ	1	1
48 Umbelliferæ	14	18
49 Araliaceæ	1	5
50 Cornaceæ	2	9
51 Caprifoliaceæ	6	19
52 Rubiaceæ	4	14
54 Dipsaceæ	1	1
55 Compositæ	40	87

Order.	No. of genera.	No. of species.
56 Lobeliaceæ	1	4
57 Campanulaceæ	2	6
58 Ericaceæ	10	19
61 Primulaceæ	3	7
65 Oleaceæ	3	6
66 Apocynaceæ	1	2
67 Asclepiadaceæ	2	6
69 Gentianaceæ	2	3
70 Polemoniaceæ	2	2
71 Hydrophyllaceæ	1	2
72 Borraginaceæ	6	11
73 Convolvulaceæ	2	3
74 Solanaceæ	4	8
75 Scrophulariaceæ	14	28
76 Orobanchaceæ	3	3
77 Lentibulaceæ	1	2
78 Bignoniaceæ	1	1
80 Acanthaceæ	1	1
81 Verbenaceæ	2	3
82 Labiatae	16	24
83 Plantaginaceæ	1	2
86 Amarantaceæ	1	2
87 Chenopodiaceæ	3	6
88 Phytolaccaceæ	1	1
89 Polygonaceæ	3	16
91 Aristolochiaceæ	1	1
92 Piperaceæ	1	1
93 Lauraceæ	2	2
94 Thymeleaceæ	1	1
95 Elæagnaceæ	1	1
97 Santalaceæ	1	1
98 Euphorbiaceæ	2	3
99 Urticaceæ	8	9
100 Plantanaceæ	1	1
101 Juglandaceæ	2	5
103 Cupuliferæ	6	14
104 Salicaceæ	2	9
106 Ceratophyllaceæ	1	1
107 Coniferæ	6	10
108 Hydrocharidaceæ	3	3
110 Orchidaceæ	10	20
113 Iridaceæ	2	2
114 Amaryllidaceæ	1	1
115 Dioscoreaceæ	1	1
116 Liliaceæ	11	25
117 Pontederiaceæ	2	2
121 Juncaceæ	2	12
122 Typhaceæ	2	4
123 Araceæ	2	2
125 Alismaceæ	3	6
126 Naiadaceæ	2	10
128 Cyperaceæ	6	50

Order.	No. of genera.	No. of species.
129 Gramineæ	26	45
130 Equisetaceæ	1	7
131 Filices.....	15	42
132 Ophioglossaceæ .....	..	..
133 Lycopodiaceæ	1	2
134 Selaginellaceæ	1	1

Hepaticæ	1	5
Musci	18	36
Lichenes.....		20

Order 1. RANUNCULACEÆ.—Crowfoot Family.

CLEMATIS.

Clematis Virginiana Virgin's Bower.

ANEMONE.

Anemone cylindrica Long-fruited Anemone.
 Anemone parviflora Small-flowered Anemone.
 Anemone nemorosa Wood Anemone or Wind-flower.

HEPATICA —Liver Leaf.

Hepatica triloba Round-lobed Hepatica.
 Hepatica acutiloba Sharp-lobed Hepatica.

THALICTRUM.—Meadow Rue.

Thalictrum anemonoides Rue Anemone.
 Thalictrum polygamum Meadow Rue.
 Thalictrum dioicum Early Meadow Rue.

RANUNCULUS.—Crowfoot, Buttercup.

Ranunculus aquatilis var trichophyllus.. Water Crowfoot.
 Ranunculus sceleratus..... Cursed Crowfoot.
 Ranunculus recurvatus Hooked Crowfoot.
 Ranunculus Pennsylvanicus Bristly Crowfoot.
 Ranunculus fascicularis Early Crowfoot.
 Ranunculus repens Creeping Crowfoot.
 Ranunculus acris Buttercup Crowfoot.

CALTHA.—Marsh Marigold.

Caltha palustris Marsh marigold.

COPTIS.—Gold Thread.

Coptis trifolia Three-leaved Gold thread.

AQUILEGIA.—Columbine.

Aquilegia Canadensis..... Wild Columbine

ACTÆA.—Baneberry.

- Actæa spicata* var *rubra*.....Red Baneberry.
Actæa albaWhite Baneberry.

CIMICIFUGA.—Bugbane.

- Cimicifuga racemosa*Black Snakeroot.

Order 2. MAGNOLIACEÆ.—Magnolia Family.

MAGNOLIA.

- Magnolia acuminata*Cucumber Tree.
Magnolia umbrellæUmbrella Tree.

LIRIODENDRON.

- Liriodendron tulipifera*Tulip tree.

Order 3. ANONACEÆ.—Custard Apple Family

ASIMINA.

- Asimina triloba*Papaw tree.

Order 4. MENISPERMACEÆ.—Moonseed Family.

MENISPERMUM.

- Menispermum Canadense*Moonseed.

Order 5. BERBERIDACEÆ.—Barberry Family.

BERBERIS.

- Berberis vulgaris*.....Common barberry.

CAULOPHYLLUM.

- Caulophyllum thalictroides*Blue cohosh or Pappoose-root.

PODOPHYLLUM.

- Podophyllum peltatum*May apple.

Order 6. NYMPHÆACEÆ.—Water Lily Family.

NYMPHÆA.

- Nymphæa odorata*White water lily.
Nuphar advenaYellow water lily.

Order 7. SARRACENIACEÆ.—Pitcher Plant Family.

SARRACENIA.

- Sarracenia purpurea*Side saddle flower.

Order 8. PAPAVERACEÆ.—Poppy Family.

PAPAVER.

Papaver somniferum Common poppy.

CHELIDONIUM.

Chelidonium majus Celandine.

SANGUINARIA.

Sanguinaria Canadensis Bloodroot.

Order 9. FUMARIACEÆ.—Fumitory Family.

DICENTRA.

Dicentra Cucullaria Dutchman's breeches.

Dicentra Canadensis Squirrel corn.

Order 10. CRUCIFERÆ.—Mustard Family.

NASTURTIIUM.

Nasturtium officinale True water cress.

Nasturtium palustre Marsh cress.

Nasturtium palustre var *hispidum* Marsh cress.

Nasturtium Armoracia Horse radish.

HESPERIS.—Rocket.

Hesperis matronalis Dame's Violet.

DENTARIA.—Toothwort.

Dentaria diphylla Toothwort pepper root.

Dentaria laciniata Toothwort pepper root.

LUNARIA.—Satin Flower.

Lunaria biennis Honesty.

CARDAMINE.—Bitter Cress.

Cardamine rhomboidea Spring cress.

Cardamine rhomboidea var *purpurea* .. Spring cress.

Cardamine hirsuta Small bitter cress.

ARABIS.—Rock Cress.

Arabis lyrata Rock cress.

Arabis confinis Rock cress.

Arabis hirsuta Rock cress.

Arabis lævigata Rock cress.

Arabis Canadensis Sickie pod.

Arabis perfoliata Tower mustard.

BARBAREA.—Winter Cress.

- Barbarea vulgaris* Common winter cress.
Barbarea vulgaris var *stricta*..... Common winter cress.

ERYSIMUM.—Treacle Mustard.

- Erysimum cheiranthoides* Worm seed mustard.

SISYMBRIUM.

- Sisymbrium officinale*..... Hedge mustard.

BRASSICA.

- Brassica sinapistrum* or *sinapis arvensis*.English charlock.
Brassica (or *sinapis*) *nigra*..... Black mustard.
Brassica rapa Turnip.

ALYSSUM.

- Alyssum calycinum*..... Yellow alyssum.

CAMELINA.

- Camelina sativa* False flax.

CAPSELLA.

- Capsella Bursa-pastoris* Shepherd's purse.

LEPIDIUM.—Pepperwort.

- Lepidium intermedium* Wild pepper grass.
Lepidium campestre Pepperwort pepper grass.

CAKILE.

- Cakile Americana* American sea rocket.

Order 11. CAPPARIDACEÆ.—Caper Family.

POLANISIA.

- Polanisia graveolens* Polanisia.

Order 13. CISTACEÆ.—Rock Rose Family.

- Helianthemum Canadense* Frost weed.

Order 14. VIOLACEÆ.—Violet Family.

- Solea concolor* Green violet.

 VIOLA.—Heart's-ease.

<i>Viola rotundifolia</i>	Round-leaved violet.
<i>Viola lanceolata</i>	Lance-leaved violet.
<i>Viola blanda</i>	Sweet white violet.
<i>Viola odorata</i>	Sweet or English violet.
<i>Viola palustris</i>	Marsh violet.
<i>Viola palmata</i> var <i>cucullata</i>	Common blue violet.
<i>Viola canina</i> var <i>sylvestris</i>	Dog violet.
<i>Viola rostrata</i>	Long-spurred violet.
<i>Viola Canadensis</i>	Canada violet.
<i>Viola pubescens</i>	Downy yellow violet.
<i>Viola eriocephalus</i>	
<i>Viola tricolor</i>	Pansy or heartsease.

Order 15. CARYOPHYLLACEÆ.—Pink Family.

DIANTHUS.—Carnation.

<i>Dianthus Armeria</i>	Deptford pink.
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SAPONARIA.—Soapwort.

<i>Saponaria officinalis</i>	Bouncing Bet.
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SILENE.

<i>Silene antirrhina</i>	Sleepy catchfly.
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LYCHNIS.—Cockle.

<i>Lychnis vespertina</i>	Evening lychnis.
<i>Lychnis Githago</i>	Corn cockle.
<i>Lychnis diurna</i>	Ragged Robin.

ARENARIA.—Sandwort.

<i>Arenaria serpyllifolia</i>	Thyme leaved sandwort.
<i>Arenaria lateriflora</i>	Sandwort.

STELLARIA.

<i>Stellaria media</i>	Common chickweed.
<i>Stellaria longifolia</i>	Long-leaved stitchwort.
<i>Stellaria longipes</i>	Long-stalked stitchwort.

CERASTIUM.

<i>Cerastium vulgatum</i>	Mouse-ear chickweed.
<i>Cerastium viscosum</i>	Larger mouse-ear chickweed.
<i>Cerastium nutans</i>	Annual chickweed.
<i>Cerastium arvense</i>	Field chickweed.

Order 16. PORTULACACEÆ.—Purslane Family.

<i>Portulaca oleracea</i>	Common purslane.
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CLAYTONIA.

- Claytonia Virginica Narrow-leaved spring beauty.
 Claytonia Caroliniana Broad-leaved spring beauty

Order 18. HYPERICACEÆ.—St. John's Wort Family.

- Hypericum Kalmianum Kalm's St. John's wort.
 Hypericum perforatum Common St. John's wort.
 Hypericum mutilum Hypericum.
 Hypericum maculatum Hypericum, Corymbed
 Hypericum Canadense Hypericum.
 Hypericum Canadense var majus Hypericum.

ELODES.

- Elodes Virginica Marsh St. John's wort.

Order 20. MALVACEÆ.—Mallow Family.

- Malva rotundifolia Common mallow.
 Malva moschata Musk mallow.

ABUTILON.—Indian Mallow.

- Abutilon Avicennæ Velvet leaf.

HIBISCUS.—Rose Mallow.

- Hibiscus Trionum Bladder ketmia.

Order 21. TILIACEÆ.—Linden Family.

- Tilia Americana Basswood.
 Tilia Europæa European linden.

Order 22. LINACEÆ.—Flax Family.

- Linum usitatissimum Common flax.

Order 23. GERANIACEÆ.—Geranium Family.

- Geranium maculatum Wild cranesbill.
 Geranium pusillum Small flowered cranesbill.
 Geranium Robertianum Herb Robert.

IMPATIENS.—Balsam Jewel Weed.

- Impatiens pallida Pale touch-me-not.
 Impatiens fulva Spotted touch-me-not.

OXALIS.—Wood Sorrel.

- Oxalis stricta Yellow wood sorrel.

Order 24. RUTACEÆ.—Rue Family.

ZANTHOXYLUM.

Zanthoxylum Americanum Prickly ash.

PTELEA.—Shrubby Trefoil.

Ptelea trifoliata Hop tree.

Ailanthus glandulosus Tree of Heaven.

Order 25. ILICINEÆ.—Holly Family.

ILEX.

Ilex verticillata Black alder winterberry.

Order 26. CELASTRACEÆ.—Staff Tree Family.

CELASTRUS.

Celastrus scandens Wax work or climbing bitter sweet.

EUONYMUS.

Euonymus atropurpureus Strawberry tree.

Euonymus obovatus Trailing euonymus.

Order 27. RHAMNACEÆ.—Buckthorn Family.

CEANOTHUS.

Ceanothus Americanus New Jersey tea.

Order 28. VITACEÆ.—Vine Family.

VITIS.—Grape.

Vitis æstivalis Summer grape.

Vitis riparia Frost grape.

AMPELOPSIS.—Virginian Creeper.

Ampelopsis quinquefolia Virginian creeper.

Order 29. SAPINDACEÆ.—Soapberry Family.

STAPHYLEA.

Staphylea trifolia American bladder nut.

ÆSCULUS.

Æsculus Hippocastanum Common horse-chestnut.

ACER.—Maple.

Acer spicatum Mountain maple.

Acer saccharinum Sugar or rock maple.

Acer dasycarpum White or rock maple.

Acer rubrum Red or soft maple.

NEGUNDO.—Ash Leaved Maple or box-elder.

Negundo aceroides Box elder.

Order 30. ANACARDIACEÆ.—Cashew Family.

RHUS.—Sumach.

<i>Rhus typhina</i>	Stag horn sumach.
<i>Rhus venenata</i>	Poison sumach, or dogwood.
<i>Rhus toxicodendron</i>	Poison ivy, or poison oak.
<i>Rhus aromatica</i>	Fragrant sumach.
<i>Rhus toxicodendron</i> var <i>radicans</i>	Poison ivy.

Order 31. POLYGALACEÆ.—Milk Wort Family.

<i>Polygala verticillata</i>	Milk wort.
<i>Polygala senega</i>	Seneca snakeroot.

Order 32. LEGUMINOSÆ.—Pulse Family.

LUPINUS.

<i>Lupinus perennis</i>	Wild lupine.
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TRIFOLIUM.

<i>Trifolium arvense</i>	Rabbit foot clover.
<i>Trifolium pratense</i>	Red clover.
<i>Trifolium repens</i>	White clover.
<i>Trifolium agrarium</i>	Yellow or hop clover.
<i>Trifolium procumbens</i>	Low hop clover.
<i>Trifolium hybridum</i>	Alsike.

MELILOTUS.—Sweet Clover.

<i>Melilotus officinalis</i>	Yellow melilot.
<i>Melilotus alba</i>	White melilot.

MEDICAGO.—Medick.

<i>Medicago sativa</i>	Lucerne.
<i>Medicago lupulina</i>	Black medick.

ROBINIA.—Locust Tree.

<i>Robinia Pseudacacia</i>	Common locust or false Acacia.
<i>Robinia viscosa</i>	Clammy locust.

ASTRAGALUS.

<i>Astragalus Canadensis</i>	Milk vetch.
<i>Astragalus Cooperi</i>	Milk vetch.

DESMODIUM.—Tick Trefoil.

<i>Desmodium nudiflorum</i>	Tick trefoil.
<i>Desmodium acuminatum</i>	Tick trefoil.
<i>Desmodium rotundifolium</i>	Tick trefoil.
<i>Desmodium cuspidatum</i>	Tick trefoil.
<i>Desmodium paniculatum</i>	Tick trefoil.
<i>Desmodium Canadense</i>	Tick trefoil.
<i>Desmodium rigidum</i>	Tick trefoil.

LESPEDeza.

- Lespedeza reticulata* Bush clover.
Lespedeza hirta Bush clover.

VICIA.—Vetch. Tare.

- Vicia Cracca* Vetch.
Vicia Caroliniana Vetch.
Vicia Americana Vetch.

LATHYRUS.—Everlasting Pea.

- Lathyrus ochroleucus* Vetchling.
Lathyrus palustris Marsh vetchling.

APIOS.—Wild Bean.

- Apios tuberosa* Ground nut.

PHASEOLUS.

- Phaseolus diversifolius* Kidney bean.

AMPHICARPÆA.—Hog Peanut.

- Amphicarpæa monoica* Hog peanut.

Order 33. ROSACEÆ.—Rose Family.

PRUNUS.—Plum.

- Prunus Americana* Wild yellow or red plum.
Prunus Pennsylvanica Wild red cherry.
Prunus Virginiana Choke cherry.
Prunus serotina Wild black cherry.

SPIRÆA.—Meadow-sweet.

- Spiræa opulifolia* Nine bark.
Spiræa salicifolia Meadow sweet.

AGRIMONIA.

- Agrimonia Eupatoria* Common agrimony.
Agrimonia parviflora Small flowered agrimony.

GEUM.—Avens.

- Geum album* Avens.
Geum strictum Avens.
Geum rivale Purple Avens

WALDSTEINIA.

- Waldsteinia fragarioides* Barren strawberry.

POTENTILLA.—Cinque-foil, Five Finger.

Potentilla Canadensis	Cinque foil.
Potentilla Canadensis var simplex	Five finger.
Potentilla argentea	Five finger.
Potentilla recta	Five finger.
Potentilla Anserina	Silver weed.
Potentilla palustris	Marsh five finger.

FRAGARIA.

Fragaria Virginiana	Wild strawberry.
Fragaria vesca	Wild strawberry.

DALIBARDA.

Dalibarda repens	Dalibarda.
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RUBUS.—Bramble.

Rubus odoratus	Purple flowering raspberry.
Rubus triflorus	Dwarf raspberry.
Rubus strigosus	Wild red raspberry.
Rubus occidentalis	Black raspberry.
Rubus villosus	High blackberry.
Rubus Canadensis	Low blackberry.
Rubus hispidus	Running swamp blackberry.

ROSA.—Rose.

Rosa Carolina	Swamp rose.
Rosa blanda	Early wild rose.
Rosa rubiginosa	Sweet brier.
Rosa micrantha	Smaller sweet brier.

CRATÆGUS.—Hawthorn.

Cratægus Oxyacantha	English hawthorn.
Cratægus coccinea var macracantha	Large spurred thorn.
Cratægus coccinea	Scarlet fruited thorn.
Cratægus Crusgalli	Cockspur thorn.

PYRUS.

Pyrus malus	Apple.
Pyrus communis	Pear.
Pyrus coronaria	Wild Crab apple.
Pyrus arbutifolia	Chokeberry.
Pyrus Americana	Mountain ash.
Pyrus Aucuparia	European rowan tree.

AMELANCHIER.

Amelanchier Canadensis	Shad bush. Service berry.
Amelanchier Canadensis, var rotundifolia ..	Round leaved amelanchier.
Amelanchier Canadensis, var oblongifolia ..	Juneberry.

Order 35. SAXIFRAGACEÆ.—Saxifrage Family.

RIBES.—Currant, Gooseberry.

<i>Ribes Cynosbati</i>	Wild gooseberry.
<i>Ribes prostratum</i>	Fetid currant.
<i>Ribes floridum</i>	Wild black currant.
<i>Ribes rubrum</i>	Red currant.
<i>Ribes aureum</i>	Buffalo currant.
<i>Ribes oxycanthoides</i>	Swamp gooseberry.

PARNASSIA.

<i>Parnassia Caroliniana</i>	Grass of Parnassus.
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SAXIFRAGA.

<i>Saxifraga Virginiensis</i>	Early saxifrage.
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MITELLA.

<i>Mitella diphylla</i>	Mitrewort.
<i>Mitella nuda</i>	Mitrewort.

TIARELLA.

<i>Tiarella cordifolia</i>	False mitrewort.
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CHRYSOSPLENIUM.

<i>Chrysosplenium Americanum</i>	Golden saxifrage.
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Order 36. CRASSULACEÆ.—Orpine Family.

PENTHORUM.

<i>Penthorum sedoides</i>	Ditch stone-crop.
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SEDUM.

<i>Sedum acre</i>	Mossy stone-crop.
<i>Sedum Telephium</i>	Garden orpine or live-for-ever.

Order 38. HAMAMELACEÆ.—Witch Hazel Family.

<i>Hamamelis Virginica</i>	Witch hazel.
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Order 39. HALORAGACEÆ.—Water Milfoil Family.

MYRIOPHYLLUM.

<i>Myriophyllum spicatum</i>	Water milfoil.
<i>Myriophyllum verticillatum</i>	Water milfoil.

Order 41. LYTHRACEÆ.—Loosestrife Family.

LYTHRUM.

Lythrum Salicaria Spiked loosestrife.

NESÆA.

Nesæa verticillata Swamp loosestrife.

Order 42. ONAGRACEÆ.—Evening Primrose Family.

CIRCÆA.

Circæa Lutetiana Enchanter's nightshade.
Circæa alpina Smaller E. nightshade.

GAURA.

Gaura biennis Gaura.

EPILOBIUM.

Epilobium spicatum Great willow herb.
Epilobium hirsutum Hairy willow herb.
Epilobium lineare Swamp willow herb.
Epilobium adencanlon Common willow herb.

ÆNOTHERA.

Ænothera biennis Evening primrose.
Ænothera pumila Small evening primrose.

LUDWIGIA.

Ludwigia palustris Water purslane.

Order 47. FICOIDEÆ.—Ice Plant Family.

MOLLUGO.—Indian Chick weed.

Mollugo verticillata Carpet weed.

Order 48. UMBELLIFERÆ.—Parsley Family.

HYDROCOTYLE.

Hydrocotyle Americana Water pennywort.

SANICULA.

Sanicula Canadensis Canadian black snakeroot.
Sanicula Marilandica Black snakeroot.

DAUCUS.

Daucus Carota Carrot.

HERACLEUM.

Heracleum lanatum.....Cow parsnip.

PASTINACA.

Pastinaca sativa.....Common parsnip.

ARCHANGELICA.

Archangelica atropurpurea.....Great Angelica.

Archangelica hirsuta.....Angelica.

CONIOSELINUM.

Conioselinum Canadense.....Hemlock parsley.

THASPIUM.

Thaspium barbinode.....Meadow parsnip.

Thaspium aureum.....Golden meadow parsnip.

ZIZIA.

Zizia integerrima.....Zizia.

CICUTA.

Cicuta maculata.....Spotted cowbane.

Cicuta bulbifera.....Cowbane.

SIUM.

Sium cicutæfolium.....Water parsnip.

CRYPTOTÆNIA.

Cryptotænia Canadensis.....Honewort.

OSMORRHIZA.

Osmorrhiza longistylis.....Smoother sweet cicely.

Osmorrhiza brevistylis.....Hairy sweet cicely.

CONIUM.

Conium maculatum.....Poison hemlock.

Order 49. ARALIACEÆ.—Ginseng Family.

ARALIA.

Aralia spinosa.....Angelica tree.

Aralia racemosa.....Spikenard.

Aralia nudicaulis.....Wild sarsaparilla.

Aralia quinquefolia.....Ginseng.

Aralia trifolia.....Dwarf ginseng.

Order 50. CORNACEÆ.—Dogwood Family.

CORNUS.

<i>Cornus Canadensis</i>	Dwarf cornel.
<i>Cornus florida</i>	Flowering dogwood.
<i>Cornus circinata</i>	Round leaved dogwood.
<i>Cornus sericea</i>	Silky cornel.
<i>Cornus stolonifera</i>	Red osier dogwood.
<i>Cornus asperifolia</i>	Rough leaved dogwood.
<i>Cornus paniculata</i>	Panicked cornel.
<i>Cornus alternifolia</i>	Alternate leaved cornel.

NYSSA.

<i>Nyssa multiflora</i>	Pepperidge.
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Order 51. CAPRIFOLIACEÆ.—Honeysuckle Family.

SYMPHORICARPUS.

<i>Symphoricarpus vulgaris</i>	Wolfberry.
<i>Symphoricarpus racemosa</i>	Snowberry.
<i>Symphoricarpus racemosus</i> , var <i>paniculatus</i>	Low snowberry.

LONICERA.

<i>Lonicera sempervirens</i>	Trumpet honeysuckle.
<i>Lonicera parviflora</i>	Small honeysuckle.
<i>Lonicera hirsuta</i>	Honeysuckle.
<i>Lonicera ciliata</i>	Fly honeysuckle.
<i>Lonicera Tartarica</i>	Tartarian honeysuckle.

DIERVILLA.

<i>Diervilla trifida</i>	Bush honeysuckle.
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TRIOSTEUM.

<i>Triosteum perfoliatum</i>	Horse gentian.
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SAMBUCUS.

<i>Sambucus Canadensis</i>	Elder.
<i>Sambucus pubens</i>	Red berried elder.

VIBURNUM.

<i>Viburnum Lentago</i>	Sheep berry.
<i>Viburnum dentatum</i>	Arrow wood.
<i>Viburnum cassinoides</i>	Withe rod.
<i>Viburnum pubescens</i>	Downy arrowwood.
<i>Viburnum acerifolium</i>	Maple leaved arrowwood.
<i>Viburnum Opulus</i>	Cranberry tree.

Order 52. RUBIACEÆ.—Madder Family.

GALIUM.

<i>Galium Aparine</i>	Cleavers.
<i>Galium asprellum</i>	Rough bedstraw.
<i>Galium trifidum</i>	Small bedstraw.
<i>Galium trifedum</i> , var <i>tinctorium</i>	Bedstraw.
<i>Galium triflorum</i>	Sweet bedstraw.
<i>Galium pilosum</i>	Bedstraw.
<i>Galium circæzans</i>	Wild liquorice.
<i>Galium lanceolatum</i>	Wild liquorice.
<i>Galium boreale</i>	Northern bedstraw.
<i>Galium verum</i>	Yellow bedstraw.

CEPHALANTHUS.

<i>Cephalanthus occidentalis</i>	Button bush.
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MITCHELLA.

<i>Mitchella repens</i>	Partridge berry.
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HOUSTONIA.

<i>Houstonia purpurea</i> , var <i>ciliolata</i>	Houstonia.
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Order 54. DIPSACEÆ.—Teasel Family.

<i>Dipsacus sylvestris</i>	Wild teasel.
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Order 55. COMPOSITÆ.—Composite Family.

EUPATORIUM.

<i>Eupatorium purpureum</i>	Joe Pye weed.
<i>Eupatorium perfoliatum</i>	Boneset.
<i>Eupatorium ageratoides</i>	White snakeroot.

TUSSILAGO.

<i>Tussilago Farfara</i>	Colt's foot.
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SERICOCARPUS.

<i>Sericocarpus solidagineus</i>	White topped aster.
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ASTER.

<i>Aster corymbosus</i>	Starwort.
<i>Aster macrophyllus</i>	Starwort.
<i>Aster umbellatus</i>	Starwort.
<i>Aster lævis</i>	Starwort.
<i>Aster undulatus</i>	Starwort.
<i>Aster cordifolius</i>	Starwort.
<i>Aster sagittifolius</i>	Starwort.
<i>Aster diffusus</i>	Starwort.
<i>Aster paniculatus</i>	Starwort.
<i>Aster puniceus</i>	Starwort.
<i>Aster Novæ Angliæ Tradescanti</i>	Starwort.

ERIGERON.

<i>Erigeron bellidifolius</i>	Robin's plantain.
<i>Erigeron Philadelphicus</i>	Common fleabane.
<i>Erigeron Canadensis</i>	Fleabane.
<i>Erigeron annuus</i>	Daisy fleabane.
<i>Erigeron strigosus</i>	Daisy fleabane.

BELLIS.

<i>Bellis perennis</i>	Daisy.
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SOLIDAGO.

<i>Solidago squarrosa</i>	Golden rod.
<i>Solidago bicolor</i>	Golden rod.
<i>Solidago latifolia</i>	Golden rod.
<i>Solidago cæsia</i>	Golden rod.
<i>Solidago juncea</i>	Golden rod.
<i>Solidago patula</i>	Golden rod.
<i>Solidago rugosa</i>	Golden rod.
<i>Solidago Canadensis</i>	Golden rod.
<i>Solidago lanceolata</i>	Golden rod.
<i>Solidago nemoralis</i>	Golden rod.

INULA.

<i>Inula Helenium</i>	Elecampane.
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POLYMNIA.

<i>Polymnia Canadensis</i>	Leaf cup.
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AMBROSIA.

<i>Ambrosia artemisiæfolia</i>	Rag weed.
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XANTHIUM.

<i>Xanthium Canadense</i>	Cockle bur.
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HELIOPSIS.

<i>Heliopsis scabra</i>	Ox eye.
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RUDBECKIA.

<i>Rudbeckia laciniata</i>	Cone flower.
<i>Rudbeckia hirta</i>	Cone flower.

HELIANTHUS.

<i>Helianthus annuus</i>	Sunflower.
<i>Helianthus strumosus</i>	Sunflower.
<i>Helianthus divaricatus</i>	Sunflower.
<i>Helianthus decapetalus</i>	Sunflower.

COREOPSIS.

<i>Coreopsis trichosperma</i>	Tick seed.
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 BIDENS.

<i>Bidens frondosa</i>	Beggar ticks.
<i>Bidens connata</i>	Swamp beggar ticks.
<i>Bidens cernua</i>	Smaller bur marigold.
<i>Bidens chrysanthemoides</i>	Larger bur marigold.

HELENIUM.

<i>Helenium autumnale</i>	Sneeze weed.
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ANTHEMIS.

<i>Anthemis Cotula</i>	May weed.
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ACHILLEA.

<i>Achillea Millefolium</i>	Yarrow.
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CHRYSANTHEMUM.

<i>Chrysanthemum Leucanthemum</i>	Oxeye daisy.
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TANACETUM.

<i>Tanacetum vulgare</i>	Tansy.
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ARTEMISIA.

<i>Artemisia Canadensis</i>	Mugwort.
<i>Artemisia Absinthium</i>	Wormwood.
<i>Artemisia biennis</i>	Biennial wormwood.

GNAPHALIUM.

<i>Gnaphalium polycephalum</i>	Common everlasting.
<i>Gnaphalium uliginosum</i>	Low cud weed.

ANTENNARIA.

<i>Antennaria plantaginifolia</i>	Plantain leaved everlasting.
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ANAPHALIS.

<i>Anaphalis margaritacea</i>	Pearly everlasting.
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ERECHTHITES.

<i>Erechthites hieracefolia</i>	Fireweed.
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SENECIO.

<i>Senecio aureus</i>	Golden ragwort.
<i>Senecio aureus</i> , var <i>balsamitæ</i> .	

CNICUS.

<i>Cnicus discolor</i>	Thistle.
<i>Cnicus lanceolatum</i>	Pasture thistle.
<i>Cnicus arvensis</i>	Canada thistle.

ARCTIUM.

Arctium Lappa Common burdock.

LAMPSANA.

Lampsana communis Nipplewort.

CICHORIUM.

Cichorium Intybus Succory or chicory

LEONTODON.

Leontodon autumnalis Fall dandelion.

CENTAUREA.

Centaurea cyanus Bluebottle.

HIERACIUM.

Hieracium Canadense Canada hawkweed.

Hieracium scabrum Rough hawkweed.

Hieracium venosum Rattlesnake weed.

Hieracium paniculatum Panicked hawkweed.

Hieracium marianum Hawkweed.

Hieracium aurantiacum Hawkweed.

PRENANTHES.

Prenanthes albus White lettuce.

Prenanthes altissimus Tall white lettuce.

TRAGOPOGON.

Tragopogon porrifolius Oyster plant.

TARAXACUM.

Taraxacum officinale Common dandelion.

LACTUCA.

Lactuca Canadensis Wild lettuce.

Lactuca Scariola Prickly lettuce.

Lactuca leucophæa False or blue lettuce.

SONCHUS.

Sonchus oleraceus Common sow thistle.

Sonchus asper Spiny-leaved sow thistle.

Sonchus arvensis Field sow thistle.

Order 56. LOBELIACEÆ.—Lobelia Family.

LOBELIA.

Lobelia cardinalis Cardinal flower.

Lobelia siphilitica Great Lobelia.

Lobelia inflata Indian tobacco.

Lobelia Kalmii Kalm's Lobelia.

Order 57. CAMPANULACEÆ—Campanula Family.

CAMPANULA.

- Campanula rotundifolia Harebell.
 Campanula aparinoides Marsh bellflower.
 Campanula Americana Tall bellflower.
 Campanula rapunculoides Bellflower.

SPECULARIA.

- Specularia pertoliata Venus' looking-glass.

Order 58. ERICACEÆ.—Heath Family.

GAYLUSSACIA.

- Gaylussacia resinosa Black huckleberry.

VACCINIUM.

- Vaccinium stamineum Squaw huckleberry.
 Vaccinium corymbosum Swamp blueberry.
 Vaccinium Pennsylvanicum Blueberry.

CHIOGENES.

- Chioenes hispidula Creeping snowberry.

ARCTOSTAPHYLOS.

- Arctostaphylos Uva-ursi Bear berry.

GAULTHERIA.

- Gaultheria procumbens Creeping wintergreen.

CASSANDRA.

- Cassandra calyculata Leather leaf.

PYROLA.

- Pyrola rotundifolia Pyrola.
 Pyrola rotundifolia, var incarnata Pyrola.
 Pyrola rotundifolia, var asarifolia Pyrola.
 Pyrola elliptica Shin leaf.
 Pyrola chlorantha Pyrola.
 Pyrola secunda Pyrola.

MONESES.

- Moneses uniflora One-flowered pyrola.

CHIMAPHILA.

- Chimaphila umbellata Princess pine.
 Chimaphila maculata Spotted wintergreen.

MONOTROPA.

- Monotropa uniflora.....Indian pipe.
 Monotropa Hypopitys.....False beech-drops.

Order 61. PRIMULACEÆ.—Primrose Family.

TRIENTALIS.

- Trientalis AmericanaStar flower.

STEIRONEMA.—Loosestrife.

- Steironema ciliatumLoosestrife.
 Steironema longifoliumLoosestrife.

LYSIMACHIA.

- Lysimachia thyrsifloraTufted loosestrife.
 Lysimachia strictaLoosestrife.
 Lysimachia nummularia.....Moneywort.

SAMOLUS.

- Samolus Valenderi, var Americanus Water pimpernel.

Order 65. OLEACEÆ.—Olive Family.

LIGUSTRUM.

- Ligustrum vulgare Privet or prim.

SYRINGA.

- Syringa vulgarisLilac.

FRAXINUS.

- Fraxinus AmericanaWhite ash.
 Fraxinus excelsiorEuropean ash.
 Fraxinus pubescens.....Red ash.
 Fraxinus sambucifolia.....Black or water ash.

Order 66. APOCYNACEÆ.—Dogbane Family.

APOCYNUM.

- Apocynum cannabinumIndian hemp.
 Apocynum androsæmifolium.....Dogbane.

Order 67. ASCLEPIADACEÆ.—Milkweed Family.

ASCLEPIAS.

- Asclepias cornuti.....Common milkweed,
 Asclepias phytolaccoidesPoke milkweed.
 Asclepias quadrifoliaMilkweed.
 Asclepias incarnataSwamp milkweed.
 Asclepias tuberosaButterfly weed.

VINCETOXICUM.

Vincetoxicum nigrum Climbing poison.

Order 69. GENTIANACEÆ.—Gentian Family.

FRASERA.

Frasera Carolinensis American Columbo.

GENTIANA.

Gentiana serrata Fringed gentian.

Gentiana Andrewsii Closed gentian.

Order 70. POLEMONIACEÆ.—Polemonium Family.

POLEMONIUM.

Polemonium reptans Greek valerian.

PHLOX.

Phlox divaricata Wild phlox.

Order 71. HYDROPHYLLACEÆ.—Waterleaf Family.

HYDROPHYLLUM.

Hydrophyllum Virginicum Waterleaf.

Hydrophyllum Canadense Waterleaf.

Order 72. BORRAGINACEÆ.—Borage Family.

ECHIUM.

Echium vulgare Viper's bugloss.

LYCOPSIS.

Lycopsis Arvensis Bugloss.

LITHOSPERMUM.

Lithospermum arvense Corn gromwell.

Lithospermum officinale Common gromwell.

MYOSOTIS.

Myosotis palustris Blue forget me not.

Myosotis laxa Forget me not.

Myosotis arvensis Forget me not.

Myosotis verna Forget me not.

ECHINOSPERMUM.

Echinospermum Lappula Stickseed.

CYNOGLOSSUM.

Cynoglossum officinale Common hound's tongue.

Cynoglossum Virginicum Wild comfrey.

Order 73. CONVULVULACEÆ.—Convolvulus Family.

CONVOLVULUS.

- Convolvulus sepium.....Hedge bindweed.
 Convolvulus spithamæaBindweed.

CUSCUTA.

- Cuscuta Gronovii.....Gold thread.

Order 74. SOLANACEÆ.—Nightshade Family.

SOLANUM.

- Solanum DulcamaraBitter sweet.
 Solanum nigrumCommon nightshade.

PHYSALIS.

- Physalis grandiflora.....Ground cherry.
 Physalis pubescensGround cherry.
 Physalis viscosaGround cherry.
 Physalis lanceolataGround cherry.

NICANDRA.

- Nicandra physaloides.....Apple of Peru.

DATURA.

- Datura StramoniumThorn apple.

Order 75. SCROPHULARIACEÆ.—Figwort Family.

VERBASCUM.

- Verbascum ThapsusCommon mullein.
 Verbascum BlattariaMoth mullein.

LINARIA.

- Linaria CanadensisWild toad flax.
 Linaria vulgarisToad flax, butter and eggs.

ANTIRRHINUM.

- Antirrhinum OrontiumSnapdragon.

SCROPHULARIA.

- Scrophularia nodosaFigwort.

CHELONE.

- Chelone glabra.....Turtlehead.

PENTSTEMON.

- Pentstemon pubescens.....Beard tongue.

MIMULUS.

Mimulus ringens Monkey flower.

GRATIOLA.

Gratiola Virginiana Hedge hyssop.

ILYSANTHES.

Ilysanthes gratioloides False pimpernel.

VERONICA.

Veronica Chamædrys Speedwell.
 Veronica Americana American brooklime.
 Veronica scutellata Marsh speedwell.
 Veronica officinalis Common speedwell.
 Veronica serpyllifolia Time leaved speedwell.
 Veronica peregrina Purslane speedwell.
 Veronica arvensis Corn speedwell.
 Veronica agrestis Field speedwell.

GERARDIA.

Gerardia purpurea Purple gerardia.
 Gerardia purpurea, var paupercula Gerardia.
 Gerardia quercifolia Smooth false foxglove.
 Gerardia pedicularia Gerardia.

CASTILLEIA.

Castilleia coccinea Painted cup.

PEDICULARIS.

Pedicularis Canadensis Common lousewort.
 Pedicularis lanceolata Lousewort.

MELAMPYRUM.

Melampyrum Americanum Cow wheat.

Order 76. OROBANCHACEÆ.—Broom Rape Family.

EPIPHEGUS.

Epiphegus Virginiana Beech-drops. Cancer root.

CONOPHOLIS.

Conopholis Americana Squaw-root. Cancer root.

APHYLLON.

Aphyllon uniflorum One-flowered cancer root.

Order 77. LENTIBULACEÆ.—Bladderwort Family.

UTRICULARIA.

Utricularia vulgaris Greater bladderwort.
 Utricularia gibba Small bladderwort.

Order 78. BIGNONIACEÆ.—Bignonia Family.

MARTYNIA.

Martynia proboscidea..... Unicorn plant.

Order 80. ACANTHACEÆ.—Acanthus Family.

DIANTHERA.

Dianthera Americana Water willow.

Order 81. VERBENACEÆ.—Vervain Family.

VERBENA.

Verbena hastata Blue vervain.

Verbena urticæfolia..... White vervain.

PHRYMA.

Phryma Leptostachya..... Lopseed.

Order 82. LABIATÆ.—Mint Family.

TEUCRIUM.

Teucrium Canadense American Germander.

MENTHA.

Mentha Canadensis..... Canada mint.

Mentha viridis..... Spearmint.

Mentha piperita Peppermint.

LYCOPUS.

Lycopus Virginicus..... Bugle weed.

Lycopus sinuatus..... Water horehound.

CALAMINTHA.

Calamintha Nuttallii Calaminth.

Calamintha clinopodium..... Basil.

MELISSA.

Melissa officinalis..... Balm.

HEDEOMA.

Hedeoma pulegioides..... American pennyroyal.

COLLINSONIA.

Collinsonia Canadensis Horse balm.

MONARDA.

Monarda fistulosa..... Wild bergamot.

LOPHANTHUS.

Lophanthus nepetoides Giant hyssop.

NEPETA.

- Nepeta Cataria* Catnip.
Nepeta Glechoma... Ground ivy.

PHYSOSTEGIA.

- Physostegia Virginiana* False dragonhead.

BRUNELLA.

- Brunella vulgaris*..... Self-heal.

SCUTELLARIA.

- Scutellaria canescens* Skullcap.
Scutellaria parvula Skullcap.
Scutellaria galericulata Skullcap.
Scutellaria lateriflora Skullcap.

GALEOPSIS.

- Galeopsis Tetrahit* Hemp nettle.

STACHYS.

- Stachys palustris*..... Hedge nettle.

LEONURUS.

- Leonurus Cardiaea* Motherwort.

Order 83. PLANTAGINACEÆ.—Plantain Family.

PLANTAGO.

- Plantago major* Common plantain.
Plantago lanceolata..... Ribgrass.

Order 86. AMARANTACEÆ.—Amaranth Family.

AMARANTUS.

- Amarantus retroflexus* Pigweed.
Amarantus albus Pigweed.

Order 87. CHENOPODIACEÆ.—Goosefoot Family.

CHENOPODIUM.

- Chenopodium album* Lamb's quarters.
Chenopodium glaucum Oak leaved goosefoot.
Chenopodium Botrys Jerusalem oak.

ATRIPLEX.—Orache.

- Atriplex patula* Orache.
Atriplex patula, var *hastata* Orache.

CORISPERMUM.

- Corispermum hyssopifolium* Bugseed.

Order 88. PHYTOLACCACEÆ.—Pokeweed Family.

PHYTOLACCA.

Phytolacca decandra Pigeon berry.

Order 89. POLYGONACEÆ.—Buckwheat Family.

POLYGONUM.

Polygonum Hartwrightii Knotweed.
Polygonum orientale Prince's feather.
Polygonum incarnatum Knotweed.
Polygonum Hydropiper Smartweed.
Polygonum acre Water smartweed.
Polygonum Virginianum Knotweed.
Polygonum aviculare Knotgrass.
Polygonum aviculare, var erectum Knotgrass.
Polygonum arifolium Tear thumb.
Polygonum sagittatum Arrow leaved tear thumb.
Polygonum convolvulus Black bindweed.
Polygonum dumetorum Climbing false buckwheat.

FAGOPYRUM.

Fagopyrum esculentum Buckwheat.

RUMEX.

Rumex crispus Curled dock.
Rumex sanguineus Bloody veined dock.
Rumex Acetosella Sheep sorrel.

Order 91. ARISTOLOCHIACEÆ.—Birthwort Family.

ASARUM.

Asarum Canadense Wild ginger.

Order 92. PIPERACEÆ.—Lizard's Tail Family.

SAURURUS.

Saururus cernuus Lizard's tail.

Order 93. LAURACEÆ.—Laurel Family.

SASSAFRAS.

Sassafras officinale Sassafras.

LINDERA.

Lindera Benzoin Wild allspice.

Order 94.—THYMELEACEÆ.—Mezereum Family.

DAPHNE.

Daphne mezereum English Daphne.

Order 95. ELÆAGNACEÆ.—Oleaster Family.

SHEPHERDIA.

Shepherdia Canadensis Canadian shepherdia.

Order 97. SANTALACEÆ.—Sandalwood Family.

COMANDRA.

Comandra umbellata Bastard toad flax.

Order 98. EUPHORBIACEÆ.—Spurge Family.

EUPHORBIA.

Euphorbia maculata Spurge.

Euphorbia Helioscopia Spurge.

ACALYPHA.

Acalypha Virginica..... Three-seeded mercury.

Order 99. URTICACEÆ.—Nettle Family.

ULMUS.

Ulmus Americana Elm.

CELTIS.

Celtis occidentalis Nettle tree or sugar berry.

MORUS.

Morus rubra..... Red mulberry.

Morus alba White mulberry.

URTICA.

Urtica gracilis Nettle.

LAPORTEA.

Laportea Canadensis Wood nettle.

PILEA.

Pilea pumila..... Clearweed.

BOEHMERIA.

Boehmeria cylindrica False nettle.

HUMULUS.

Humulus Lupulus .. Common hop.

Order 100. PLATANACEÆ.—Plane Tree Family.

PLATANUS.

Platanus Occidentalis.....Sycamore tree.

Order 101. JUGLANDACEÆ.—Walnut Family.

JUGLANS.

Juglans cinerea.....Butternut.
Juglans nigra.....Black walnut.

CARYA.

Carya alba.....Shell bark hickory.
Carya porcina.....Pig nut.
Carya amara.....Bitter nut.
Carya tomentosa.....Downy hickory.

Order 103. CUPULIFERÆ.—Oak Family.

QUERCUS.

Quercus alba.....White oak.
Quercus bicolor.....Swamp white oak.
Quercus Prinus.....Chestnut oak.
Quercus acuminata.....Yellow chestnut oak.
Quercus coccinea.....Scarlet oak.
Quercus rubra.....Red oak.
Quercus palustris.....Swamp pin oak.

FAGUS.

Fagus ferruginea.....American beech.

OSTRYA.

Ostrya Virginica.....American hop horn beam.

CARPINUS.

Carpinus Americana.....Iron wood.

BETULA.

Betula lutea.....Yellow birch.
Betula alba.....White birch.
Betula papyracea.....Paper birch.

ALNUS.

Alnus incana.....Alder.

Order 104. SALICACEÆ.—Willow Family.

SALIX.

Salix discolor.....Glaucous willow.
Salix petiolaris.....Petioled willow.
Salix alba.....White willow.
Salix Babylonica.....Weeping willow.
Salix longifolia.....Long leaved willow.

POPULUS.

<i>Populus grandidentata</i>	Large toothed aspen.
<i>Populus monilifera</i>	Cotton wood.
<i>Populus balsamifera</i>	Balsam poplar.
<i>Populus alba</i>	White poplar.
<i>Populus tremuloides</i>	Aspen.

Order 106. CERATOPHYLLACEÆ.—Hornwort Family.

CERATOPHYLLUM.

<i>Ceratophyllum demersum</i>	Hornwort.
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Order 107. CONIFERÆ.—Pine Family.

PINUS.

<i>Pinus Strobus</i>	White oak.
<i>Pinus resinosa</i>	Red pine.

ABIES.

<i>Abies balsamea</i>	Balsam Fir.
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TSUGA.

<i>Tsuga Canadensis</i>	Hemlock.
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LARIX.

<i>Larix Americana</i>	Larch.
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THUYA.

<i>Thuja Occidentalis</i>	American arbor vitæ.
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JUNIPERUS.

<i>Juniperus Virginiana</i>	Red cedar.
<i>Juniperus sabina</i> var <i>procumbens</i>	Creeping Juniper.
<i>Juniperus communis</i>	Juniper.

TAXUS.

<i>Taxus baccata</i> var <i>Canadensis</i>	American yew.
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Order 108. HYDROCHARIDACEÆ.—Frog's Bit Family.

ANACHARIS.

<i>Anacharis Canadensis</i>	Waterweed.
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CHARA.

<i>Chara fragilis</i>	Waterweed.
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VALLISNERIA.

<i>Vallisneria spiralis</i>	Eel grass. Tape grass.
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Order 110. ORCHIDACEÆ.

ORCHIS.

Orchis spectabilis Showy orchis.

HABENARIA.

Habenaria virescens Rein orchis.
Habenaria viridis Rein orchis.
Habenaria hyperborea Rein orchis.
Habenaria Hookeri Rein orchis.
Habenaria blephariglottis White fringed orchis.
Habenaria lacera Ragged fringed orchis.
Habenaria psycodes Purple fringed orchis.

GOODYERA.

Goodyera pubescens Rattlesnake plantain.

SPIRANTHES. — Ladies' Tresses.

Spiranthes latifolia Ladies' tresses.
Spiranthes Romanzoviana Ladies' tresses.
Spiranthes cernua Ladies' tresses.

LISTERA.

Listera convallarioides Tway blade.

MICROSTYLIS.

Microstylis monophyllis Adder's mouth.

LIPARIS.

Liparis Lœselii Tway blade.

CORALLORHIZA.

Corallorhiza innata Coral root.
Corallorhiza multiflora Coral root.

APLECTRUM.

Aplectrum hyemale Adam and Eve.

CYPRIPEDIUM.

Cypripedium parviflorum Moccasin flower.
Cypripedium pubescens Moccasin flower.

Order 113. IRIDACEÆ.—Iris Family.

Iris versicolor Large blue flag.

SISYRINCHIUM.

Sisyrinchium anceps Blue-eyed grass.

Order 114. AMARYLLIDACEÆ.—Amaryllis Family.

HYPOXYS.

Hypoxys erecta Star grass.

Order 115. DIOSCOREACEÆ.—Yam Family.

DIOSCOREA.

Dioscorea villosa Wild yam root.

Order 116. LILIACEÆ.—Lily Family.

TRILLIUM.

Trillium grandiflorum Large white trillium.
Trillium erectum Purple trillium.
Trillium erectum, var *viride* Trillium.

MEDEOLA.

Medeola Virginica Indian cucumber.

MELANTHIUM.

Melanthium Virginicum Bunch flower.

UVULARIA.

Uvularia grandiflora Bellwort.
Uvularia perfoliata Smaller bellwort.
Uvularia sessilifolia Bellwort.

SMILACINA.

Smilacina racemosa False spikenard.
Smilacina stellata False Solomon's seal.
Smilacina trifolia False Solomon's seal.
Smilacina bifolia False Solomon's seal.

POLYGONATUM.

Polygonatum giganteum Solomon's seal.
Polygonatum biflorum Solomon's seal.

ASPARAGUS.

Asparagus officinalis Asparagus.

LILIUM.

Lilium Philadelphicum Wild orange red lily.
Lilium Canadense Wild yellow lily.
Lilium Carolinianum Lily.

ERYTHRONIUM.

- Erythronium Americanum* Yellow adder's tongue.
Erythronium albidum White dog's tooth violet.

ALLIUM.

- Allium tricoccum* Wild leek.
Allium Canadense Wild garlic.

SMILAX.

- Smilax hispida* Greenbrier.
Smilax herbacea Carrion flower.

Order 117. PONTEDERIACEÆ.—Pickerel Weed Family.

PONTEDERIA.

- Pontederia cordata*, var *angustifolia* Pickerel weed.

SCHOLLERA.

- Schollera graminea* Water star grass.

Order 121. JUNCACEÆ.—Rush Family.

LUZULA.

- Luzula pilosa* Woodrush.
Luzula campestris, var *pallescent* Woodrush.

JUNCUS.

- Juncus effusus* Soft rush.
Juncus filiformis Rush.
Juncus Balticus Rush.
Juncus Bufonius Rush.
Juncus tenuis Rush.
Juncus articulatus Rush.
Juncus alpinus var *insignis* Rush.
Juncus nodosus Rush.
Juncus nodosus, var *megacephalus* Rush.
Juncus Canadensis, var *longicaudatus* .. Rush.

Order 122. TYPHACEÆ.—Cat-Tail Family.

TYPHA.

- Typha latifolia* Cat-tail flag.
Typha angustifolia Small cat-tail flag.

SPARGANIUM.

- Sparganium eurycarpum* Bur-reed.
Sparganium simplex Bur-reed.

Order 123. ARACEÆ.—Arum Family.

ARISÆMA.

Arisæma triphyllum Indian turnip.

SYMPLOCARPUS.

Symplocarpus foetidus Skunk cabbage.

Order 125. ALISMACEÆ.—Water Plantain Family.

TRIGLOCHIN.

Triglochin palustre Arrow grass.

ALISMA.

Alisma Plantago var *Americanum* Water plantain.

SAGITTARIA.

Sagittaria variabilis Arrowhead.

Sagittaria variabilis, var *hastata* Arrowhead.

Sagittaria variabilis, var *angustifolia* .. Arrowhead.

Sagittaria heterophylla Arrowhead.

Order 126. NAIADACEÆ.—Pondweed Family.

NAIAS.

Naias flexilis Naiad.

POTAMOGETON.

Potamogeton natans Pondweed.

Potamogeton natans, var *prolixus* Pondweed.

Potamogeton mucronætus Pondweed.

Potamogeton prælongus Pondweed.

Potamogeton perfoliatus Pondweed.

Potamogeton pauciflorus Pondweed.

Potamogeton pusillus Pondweed.

Potamogeton zosterifolius Pondweed.

Potamogeton pectinatus Pondweed.

Order 128. CYPERACEÆ.—Sedge Family.

CYPERUS.

Cyperus diandrus Galingale.

Cyperus esculentus Galingale.

Cyperus strigosus Galingale.

Cyperus Schweinitzii Galingale.

Cyperus filiculmis Galingale.

DULICHIMUM.

Dulichium spathaceum Dulichium.

ELEOCHARIS.

Eleocharis obtusa	Spikerush.
Eleocharis palustris	Spikerush.
Eleocharis acicularis	Spikerush.

SCIRPUS.

Scirpus pungens	Bulrush.
Scirpus lacustris	Bulrush.
Scirpus fluviatilis	Clubrush.
Scirpus sylvaticus	Clubrush.
Scirpus atrovirens	Clubrush.

ERIOPHORUM.

Eriophorum cyperinum	Cotton or wool grass.
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CAREX.

Carex festucasea	Sedge.
Carex echinata	Sedge.
Carex polytrichoides	Sedge.
Carex tribuloides var cristata	Sedge.
Carex teretiuscula	Sedge.
Carex vulpinoidea	Sedge.
Carex sparganioides	Sedge.
Carex cephalophora	Sedge.
Carex rosea	Sedge.
Carex tenella	Sedge.
Carex scoparia	Sedge.
Carex virescens	Sedge.
Carex straminea	Sedge.
Carex stricta	Sedge.
Carex crinita	Sedge.
Carex aurea	Sedge.
Carex Crawei	Sedge.
Carex stricta var decora	Sedge.
Carex granularis	Sedge.
Carex gracillima	Sedge.
Carex plantaginea	Sedge.
Carex Careyana	Sedge.
Carex laxiflora var patulifolia	Sedge.
Carex eburnea	Sedge.
Carex pedunculata	Sedge.
Carex Pennsylvanica	Sedge.
Carex flava	Sedge.
Carex Oederi	Sedge.
Carex intumescens	Sedge.
Carex Grayii	Sedge.
Carex lupulina	Sedge.
Carex Tuckermani	Sedge.
Carex tribuloides	Sedge.
Carex triceps	Sedge.

 Order 129. GRAMINEÆ.—Grass Family.

LEERSIA.

Leersia oryzoides Rice cut grass.

ALOPECURUS.

Alopecurus aristulatus Foxtail grass.

PHLEUM.

Phleum pratense Timothy.

SPOROBOLUS.

Sporobolus vaginœflorus Rush grass.

AGROSTIS.

Agrostis perennans Thin grass.

Agrostis scabra Hair grass.

Agrostis vulgaris Red top.

Agrostis alba White rent grass.

CINNA.

Cinna pendula Wood reed grass.

MUHLENBERGIA.

Muhlenbergia sylvatica Drop seed grass.

Muhlenbergia Willdenovii Drop seed grass.

ORYZOPSIS.

Oryzopsis asperifolia Mountain rice.

CYNOSURUS.

Cynosurus cristatus Dog's-tail grass.

DACTYLIS.

Dactylis glomerata Orchard grass.

GLYCERIA.

Glyceria nervata Fowl meadow grass

Glyceria fluitans Fowl meadow grass

POA.

Poa compressa Wire grass.

Poa serotina False red top.

Poa pratensis Meadow grass.

Poa debilis Weak meadow grass.

FESTUCA.

Festuca elatior Meadow fescue.

Festuca nutans Fescue.

BROMUS.

- Bromus secalinus Cheat or chess.
 Bromus ciliatus Brome grass.

LOLIUM.

- Lolium perenne Darnel or rye grass.
 Lolium temulentum Bearded darnell.

HORDEUM.

- Hordeum jubatum Squirrel-tail grass.

ELYMUS.

- Elymus Virginicus Lyme grass.
 Elymus Canadensis Lyme grass.
 Elymus striatus Lyme grass.
 Elymus sativa Lyme grass.

CHRYSOPOGON.

- Chrysopogon nutans Wood grass.

ASPRELLA.

- Asprella hystrix Bottle brush grass.

DANTHONIA.

- Danthonia spicata Wild oat grass.

AIRA.

- Aira cæspitosa Hair grass.

HOLCUS.

- Holcus lanatus Velvet grass.

ANTHOXANTHUM.

- Anthoxanthum odoratum Sweet vernal grass.

PANICUM.

- Panicum sanguinale Crab grass.
 Panicum capillare Old witch grass.
 Panicum latifolium Panic grass.
 Panicum dichotomum Panic grass.
 Panicum Crus-galli Barnyard grass.

SETARIA.

- Setaria viridis Green foxtail grass.

ANDROPOGON.

- Andropogon provincialis Beard grass.

AGROPYRUM.

- Agropyrum caninum Spear grass.

Order 130. EQUISETACEÆ.—Horsetail Family.

EQUISETUM.

<i>Equisetum arvense</i>	Common horsetail.
<i>Equisetum pratense</i>	Meadow horsetail.
<i>Equisetum palustre</i>	Water horsetail.
<i>Equisetum limosum</i>	River horsetail.
<i>Equisetum hyemale</i>	Scouring rush.
<i>Equisetum variegatum</i>	Variegated horsetail.
<i>Equisetum scirpoides</i>	Little horsetail.

Order 131. FILICES.—Ferns.

POLYPODIUM.

<i>Polypodium vulgare</i>	Polypody.
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ADIANTUM.

<i>Adiantum pedatum</i>	Maidenhair.
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PTERIS.

<i>Pteris aquilina</i>	Common brake.
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PELLÆA.

<i>Pellæa gracilis</i>	Cliff brake.
<i>Pellæa atropurpurea</i>	Cliff brake.

ASPLENIUM.

<i>Asplenium Trichomanes</i>	Spleenwort.
<i>Asplenium angustifolium</i>	Spleenwort.
<i>Asplenium thelypteroides</i>	Spleenwort.
<i>Asplenium Filix fœmina</i>	Spleenwort.

SCOLOPENDRIUM.

<i>Scolopendrium vulgare</i>	Hart's-tongue.
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CAMPTOSORUS.

<i>Camptosorus rhizophyllus</i>	Walking leaf.
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PHEGOPTERIS.

<i>Phegopteris polypodioides</i>	Beech fern.
<i>Phegopteris Dryopteris</i>	

ASPIDIUM.

<i>Aspidium Thelypteris</i>	Shield fern.
<i>Aspidium Noveboracense</i>	
<i>Aspidium spinulosum</i>	
<i>Aspidium spinulosum</i> var <i>intermedium</i>	
<i>Aspidium spinulosum</i> var <i>dilatatum</i>	
<i>Aspidium cristatum</i> var <i>Clintonianum</i>	
<i>Aspidium Goldianum</i>	
<i>Aspidium Filix mas</i>	
<i>Aspidium marginale</i>	
<i>Aspidium acrostichoides</i>	
<i>Aspidium acrostichoides</i> var <i>incisum</i>	
<i>Aspidium aculeatum</i>	

CYSTOPTERIS.

Cystopteris bulbifera Bladder fern.

STRUTHIOPTERIS.

Struthiopteris Germanica Ostrich fern.

ONOCLEA.

Onoclea sensibilis Sensitive fern.

OSMUNDA.

Osmunda regalis Flowering royal fern.

Osmunda Claytoniana.

Osmunda cinnamomea Cinnamon fern.

LOMARIA.

Lomaria spicant Deer fern.

Order 132. OPHIOGLOSSACEÆ.—Adder's Tongue Family.

BOTRYCHIUM.

Botrychium Lunaria (Grape fern) Moonwort.

Botrychium lanceolatum.

Botrychium Virginicum.

Botrychium lunaroides.

Botrychium lunaroides, var *obliquum*.

Botrychium matricariæfolium.

Botrychium lunaroides, var *dissectum*.

Order 133. LYCOPODIACEÆ.—Club Moss Family.

LYCOPODIUM.

Lycopodium lucidulum Club moss.

Lycopodium complanatum Club moss.

Order 134. SELAGINELLACEÆ.

SELAGINELLA.

Selaginella apus.

HEPATICÆ.—Liverworts.

Preissia hemispherica Liverwort.

Trichocolea tomentella Liverwort.

Kantia trichomanis Liverwort.

Fegatella conica Liverwort.

Porella platyphylla Liverwort.

MUSCI.

HYPNUM.

Hypnum chrysophyllum.
 Hypnum curvifolium.
 Hypnum Haldanianum.
 Hypnum imponens.
 Hypnum lætum.
 Hypnum rivulare.
 Hypnum Rutabulum.
 Hypnum salebrosum.
 Hypnum serpens.
 Hypnum splendens.
 Hypnum stellatum.
 Hypnum strigosum.
 Hypnum triquetrum.
 Hypnum uncinatum.

MNIUM.

Mnium cuspidatum.
 Mnium affine.

POLYTRICHUM.

Polytrichum juniperinum.

SPHAGNUM.

Sphagnum cymbifolium.

WEBERA.

Webera annotina.

FUNARIA.

Funaria hygrometrica.

ANOMODON.

Anomodon rostratus.
 Anomodon obtusifolius.

CERATODON.

Ceratodon purpureus.

BRYUM.

Bryum intermedium.
 Bryum roseum.

BARTRAMIA.

Bartramia pomiformis.

LEUCOBRYUM.

Leucobryum vulgare.

AULACOMNIUM.

Aulacomnium heterostichum.

Aulacomnium palustre.

THUIDIUM.

Thuidium delicatulum.

Thuidium recognitum.

PLAGIOTHECIUM.

Plagiothecium denticulatum.

FISSIDENS.

Fissidens adiantoides.

ATRICHUM.

Atrichum undulatum.

CLIMACIUM.

Climacium Americanum.

DICRANUM.

Dicranum scoparium.

LICHENS.

Ramalina calicaris, var *fraxinea* Lichen.

Ramalina calicaris, var *parinacea* Lichen.

Ramalina calicaris, var *fastigiata* Lichen.

Alectoria jubata, var *chalybeiformis* Lichen.

Evernia prunastri Lichen.

Usnea barbata, var *hista* Lichen.

Theloschistes chrysophthalmus Lichen.

Physcia ciliaris Lichen.

Cladonia pyridata Lichen.

Cladonia fimbriata Lichen.

Cladonia furcata Lichen.

Cladonia rangiferina Lichen.

Peltigera aphthosa Lichen.

Sticta pulmonaria Lichen.

Leptogium tremelloides Lichen.

Parmenia plicodes Lichen.

Parmelia caperata Lichen.

Parmelia saratensis, var *sulcata* Lichen.

Cetraria ciliaris Lichen.

Sticta amplissima Lichen.



QUEEN VICTORIA PARK

NIAGARA FALLS

SUPERINTENDENTS OFFICE
NIAGARA FALLS FEB 1896

ROYLE ENGRAVING CO TORONTO

TENTH ANNUAL REPORT.
OF THE
COMMISSIONERS
FOR THE
Queen Victoria Niagara Falls Park

Toronto, 2nd March, 1896.

Sir,—I have the honor to transmit herewith to be presented to His Honor the Lieutenant-Governor, for the information of the Legislature the Tenth Annual Report of the Commissioners for Queen Victoria Niagara Falls Park, being for the year ended 31st December, 1895.

I have the honor to be

Sir,

Your most obedient servant,

J. W. LANGMUIR,
Chairman.

The Honorable J. M. Gibson,
Secretary for the Province of Ontario

To the Honorable George Airey Kirkpatrick,
Lieutenant-Governor of the Province of Ontario.

May it please your Honor :

Your Commissioners have much pleasure in submitting, as required by Statute, their Tenth Annual Report on the Queen Victoria Niagara Falls Park, being for the year ended 31st December, 1895.

In their preceding Annual and Supplementary Reports the Commissioners have confined themselves to recording, briefly, the more important incidents which marked the progress of their work during each year. As, however, ten years have now elapsed since the passing of the Act which called the Commission into existence, the Commissioners have thought it appropriate to mark the entry on the second decade of their work by taking in this report a rather wider range, and giving somewhat in detail a history of the development of the Park scheme from its first inception, or, rather, from its first suggestion, to the present time. Such a sketch it was hoped would not be uninteresting to the public at large, while it was felt to be quite within the purview of the duties of the Commission.

The first question which naturally arises in connection with the Park is to whom is the world (for it is a matter of interest to more than the inhabitants of this continent) indebted for the grand idea? There is no doubt that Lord Dufferin may be truly called "The father of the International Parks at Niagara Falls," for to him is unquestionably due the first suggestion and the first official movement in connection therewith. This fact is placed on record in an important official document given later on in this report in extenso. In that document (a memorial signed by hundreds of the leading public men in the United States and Canada) it is mentioned as a well-known and admitted fact, that to Lord Dufferin is due the credit of originating the project. As there exists, however, some misapprehension on this head, and as it is but right that Lord Dufferin, and Canada, should not be deprived of the credit which is their due, it seems desirable to state somewhat in detail the facts of the case.

During his frequent visits to the Falls, while holding the high office of Governor-General of Canada from 1872 to 1878, Lord Dufferin was grieved, as he could not fail to be, to see how visitors to the Falls were annoyed, and their enjoyment of the glorious scene marred, by the hucksters, pedlers and sharpers who swarmed at all the points of interest as well as at all the approaches to the Falls on both sides of the river, levying tolls at every turn on the pleasure and the pockets of the unfortunate tourist. He accordingly took advantage of a casual meeting, in the summer of 1878, with the Honorable Lucius Robinson, then Lieutenant-Governor of the State of New York, to suggest joint action on the part of the Government of the State of New York and the Province of Ontario with a view to providing a remedy for these abuses. To effect this Lord Dufferin further suggested that the two Governments should obtain control of a sufficient quantity of land, on both sides of the Falls, for the free use of the public, where they would be protected from all the vexatious annoyances to which they had hitherto been exposed; each government, of course, retaining jurisdiction over its own territory, but with a mutual understanding as to the general regulations to be enforced on both sides of the river. Lord Dufferin was not content with merely making the suggestion, but followed it up by making a strong appeal to the Ontario Government to take action on the lines which he had proposed to Governor Robinson, and in fact, made use of all the influence which his high office gave him to bring about the accomplishment of the object. In the course of that same year he took occasion, when making an address at the opening of the Provincial Exhibition at Toronto, to earnestly press the subject upon the attention of the Canadian public.

At the meeting of the Legislature of the State of New York in January, 1879, Governor Robinson, in his annual message, made a strong recommendation to the Legislature to give effect to the suggestions made by Lord Dufferin; and the Legislature responded by directing the Commissioners of the State Survey to report upon the project, and granted authority to them to confer with the representatives either of the Dominion of Canada or of the Province of Ontario, with a view to the accomplishment of the objects sought. These Commissioners entered on their work with much enthusiasm, and instructed Mr. James T. Gardiner, the Director of the State Survey, and Mr. Frederick Law Olmsted, an eminent landscape architect, to make an examination of

the ground on both sides of the river and to prepare such plans and to formulate such suggestions as seemed to them requisite for the carrying out of the scheme. After a thorough study of the subject Messrs. Gardiner and Olmsted submitted plans, having more particular reference to the American side, accompanied by very elaborate reports embodying their views on the scheme and indicating the extent and area of the lands to be acquired, and, generally, the scope of the works that should be undertaken. Their suggestions were adopted by the Board of Commissioners of the State Survey ; and following the directions of the Legislature, the Commissioners held a conference by appointment with the members of the Ontario Cabinet in order to interchange views respecting the project. At this conference the maps showing the territory which it was proposed should be controlled by the State and Provincial Governments were submitted and generally approved. In this connection it may be stated that the territory in each case proposed to be acquired was generally the same as was ultimately selected by the respective boards of Park Commissioners, but that in respect to the American side the Reservation eventually decided on does not embrace all the lands at first intended to be taken, but excludes all the strip of territory lying between the high bank and the water's edge from the Upper Suspension Bridge down to the Railway Suspension Bridge.

At this conference the representatives of the Ontario Government expressed their entire sympathy with the park project ; but it was pointed out that there were difficulties in the way of the undertaking, and the opinion was expressed that it was only reasonable that the cost of restoring the scenery on the Canadian side of the river should fall upon the Dominion Government, which claimed to have jurisdiction over a considerable portion of the lands proposed to be included in the Park, and was, therefore, in a much better position than the Province to take up the work.

In conformity with the opinion thus expressed, and in order to facilitate any action which the Government of Canada might be disposed to take in the premises, an Act was passed by the legislature of Ontario in March, 1880, (43 Victoria, chapter 13) entitled, "An Act respecting Niagara Falls and the adjacent territory," which conferred upon the Minister of Public Works of Canada, all the authority which the Provincial Government could give, to proceed with the execution of the project, should he so desire.

A very able report was drawn up by the Commissioners of the State Survey and presented to the New York State Legislature at its Session in 1880, together with the plans which had been so carefully considered ; and it was recommended that the State should, by purchase, acquire a title to the lands required, and hold them in trust for her people for ever.

Throughout both the United States and Canada Lord Dufferin's earnest appeal, which it has been well said "was at first looked upon rather as an expression of philanthropic sentiment than as an earnest proposal of a practical measure" was now bearing fruit ; and a strong current of public opinion in favor of the project was set in motion by the active exertions of many gentlemen in both countries. A joint memorial signed by nearly seven hundred of the leading literary and

scientific men of Canada, the United States and England, was prepared under date 2nd March, 1880, and presented to the Governor-General of Canada and the Governor of New York State. The memorial was as follows :

Memorial to the Right Honorable the Marquis of Lorne, K.T., K.C.M. G., etc., etc., Governor-General of Canada.

"The undersigned citizens of several countries and states address you by reason of the suggestion lately made by Lord Dufferin, that the State of New York, and the Dominion of Canada should secure and hold, for the world's good, the lands adjacent to the Falls of Niagara.

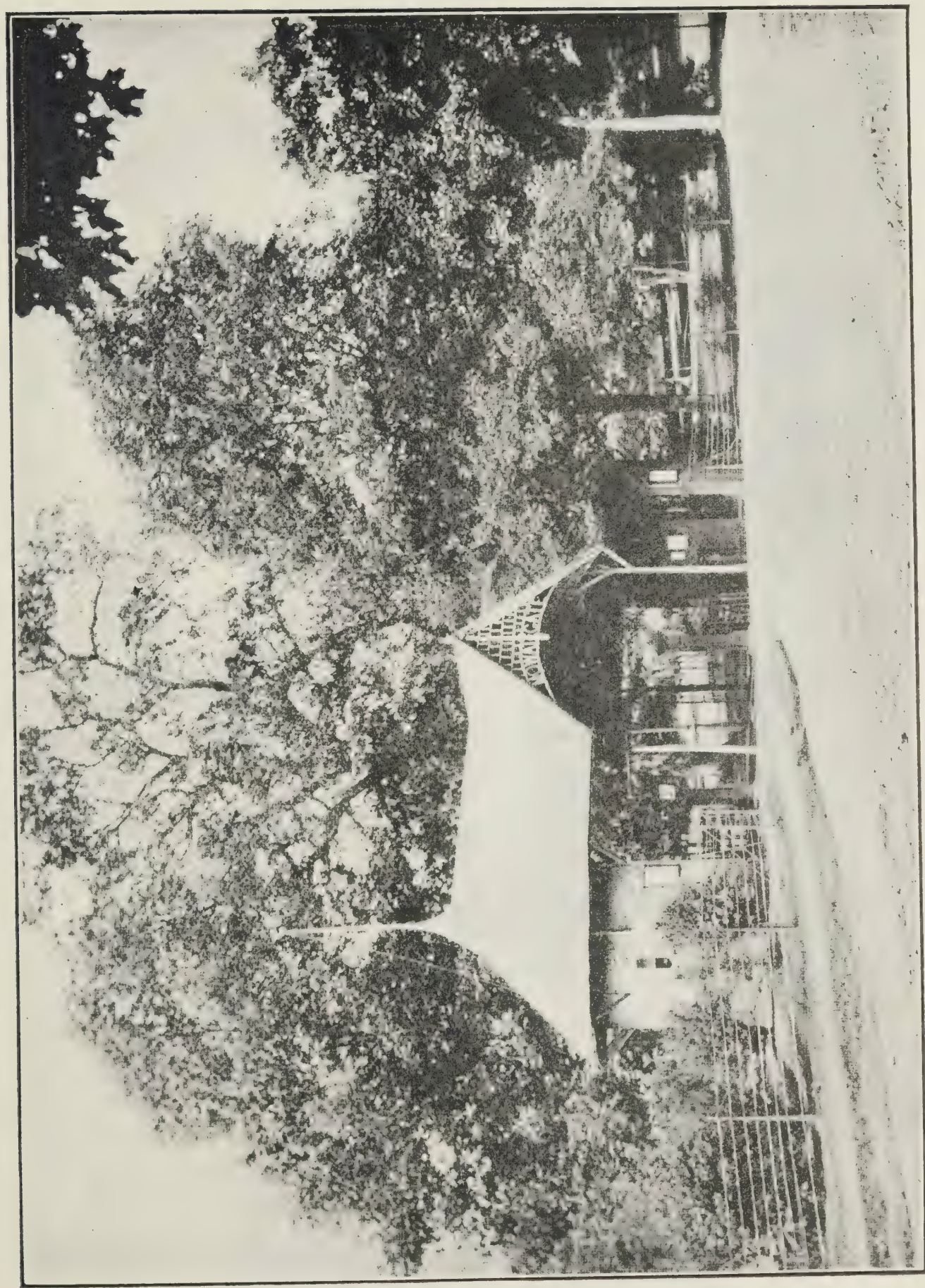
"The Falls of Niagara are peculiarly exposed to disastrous injury. The heights of snow, the precipitous crags or great mountains, however they may be disfigured by man, can rarely be applied to uses which would destroy their sublimity. But should the islands and declivities of the Niagara River be stripped of their natural woods, and occupied for manufacturing and business purposes ; should even the position, size and form of the constructions which the accommodation of visitors will call for, continue to be regulated solely by the pecuniary interests of numerous individual land owners, the loss to the world will be great and irreparable. The danger may be measured by what has already occurred. The river's banks are denuded of the noble forest by which they were originally covered ; are degraded by incongruous and unworthy structures, made for advertising purposes, wilfully conspicuous and obtrusive, and the visitor's attention is diverted from scenes to the influence of which he would gladly surrender himself, by demands for tolls and fees, and the offer of services, most of which he would prefer to avoid. Objects of great natural beauty and grandeur are among the most valuable gifts which Providence has bestowed upon our race. The contemplation of them elevates and informs the human understanding. They are instruments of education. They conduce to the order of society. They address sentiments which are universal. They draw together men of all races, and thus contribute to the union and peace of nations.

"The suggestion, therefore, that an object of this class so unparalled as the Falls of Niagara, should be placed under the joint guardianship of the two Governments whose chief magistrates we have the honor to address, is a proper concern of the civilized world, and we respectfully ask that it may, by appropriate methods, be commended to the wise consideration of the Government of the Dominion of Canada."

A similar memorial was addressed to the Honorable Alonzo B. Cornell, Governor of the State of New York.

The hopes entertained by the Government of Ontario, that the Government of the Dominion would take up the work, were not destined to be speedily realized. In the meantime more definite progress was made in prosecuting the American portion of the scheme.

Bills to carry out the recommendations of the Commissioners of the State Survey were introduced in the Legislature of the State of New York in 1880 and 1881, but failed to secure passage. No legislative action was taken in the matter in 1882. On 30th January, 1883, however, a bill was introduced entitled :



The Mowat Gate, Queen Victoria Park.

“An Act to authorize the selection, location and appropriation of certain lands in the Village of Niagara Falls for a state reservation, and to preserve the scenery of the Falls of Niagara.”

The bill was passed, and on the 30th of April, 1883, received the approval of Governor Cleveland, and became law. Under the provisions of this Act a special Board of Commissioners was created to carry out the objects set out in the Act; and, as a result of their labors, 107 acres of land, embracing what was known as “Prospect Park,” together with Goat and Bath Islands, and the small islets adjacent thereto with a strip of land along the main shore to Port Day, was selected, appraised and acquired at a total cost, including arbitration and other incidental charges, of \$1,452,810.40.

On the 15th of July, 1885, the “State Reservation” was formally opened with appropriate ceremonies in the presence of a great assemblage of the citizens of New York State and Canada. Addresses were delivered by eminent men of both countries, including the Honorable John Beverley Robinson, then Lieutenant-Governor of the Province, and Sir Oliver Mowat, K. C. M. G.

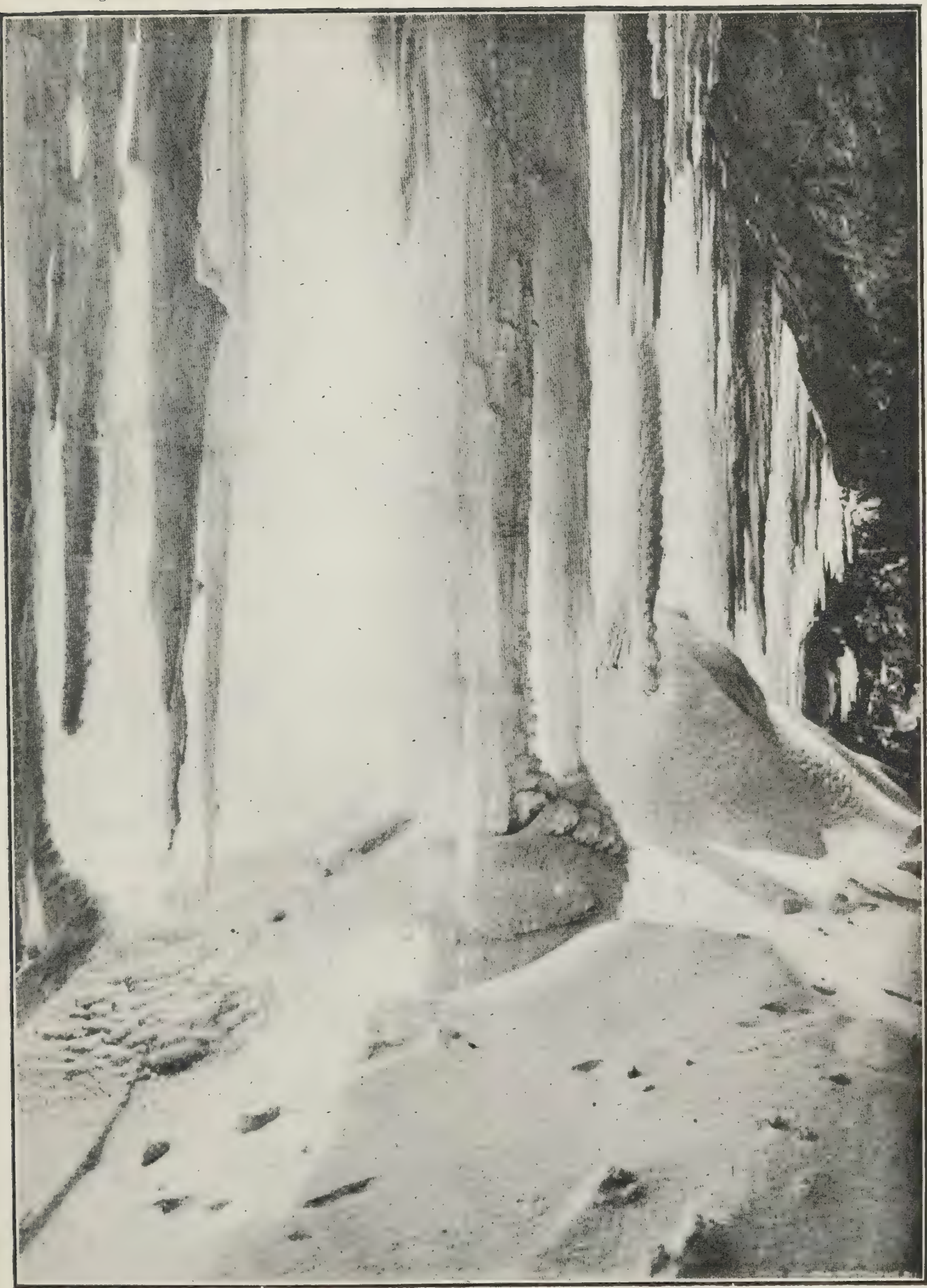
After waiting for several years in the expectation that the Dominion Government would take action in the matter, and finding that there was but little prospect of this being done, the Ontario Government finally determined to assume the responsibility, and thereupon passed an Act on the 30th March, 1885 (48 Victoria, chapter 21), entitled “An Act for the preservation of the natural scenery about Niagara Falls.” Under the provisions of this Act, authority was given to the Lieutenant-Governor to appoint a Board of Commissioners, whose duties were to select such lands in the vicinity of the Falls of Niagara as would in their opinion be proper to acquire for the purposes of restoring the scenery to its natural condition, and to preserve the same from further deterioration, as well as to afford to travellers and others facilities for observing the points of interest in the vicinity. Authority was also conferred upon them to prepare surveys of the lands so selected, and to report as to the best means of appropriating, improving and preserving these lands for the purposes of a public park. In pursuance of this Act, Colonel Gzowski, A.D.C., Messrs. John W. Langmuir, and J. Grant Macdonald were, on the 25th of April, 1885, appointed Commissioners, and they immediately proceeded to the discharge of their duties. The greater portion of the remainder of 1885 was spent in making a careful inspection and survey of all the territory which it was thought should form part of the proposed park. In this important work the Commissioners found that nature had marked out distinctly and by well defined features what would constitute the Ontario Park; and that in determining its boundaries these natural outlines could neither be ignored nor changed. The territory thus marked out may be described as follows: From the Clifton House southwards, following the general direction of the river, and at a distance of about 300 yards from the edge of the rocky wall of the gorge, there is a beautifully wooded escarpment rising over 100 feet above the general level of the plateau immediately adjacent to the gorge, and leading up to the general level of the table land between the two lakes. This escarpment is clearly defined up to and beyond the head of the rapids, and it was decided that a better boundary could not be chosen to delimit the territ-

ory reserved for a park. The intention of the Commissioners was at first to select a line embracing the whole of the escarpment, but it was found that the adjoining proprietors put a very high value on the land forming the very edge of the bluff, and in consequence a line a little below the top of the escarpment was chosen ; thus securing to the park the slope with its wealth of foliage, while at the same time all commanding views obtained from the table land above were retained by the owners, and their demands for compensation for the portion taken below the table land made less onerous. The lands thus selected comprised a total area of some 154 acres and embrace all the land from the escarpment already described to the river, including Cedar Island, the Dunerin group of islands, and the talus under the cliff from the Clifton House southwards to the margin of the Horse Shoe Fall.

On the 18th of September, 1883, the Commissioners submitted to the Government, plans of the lands thus described, with a recommendation for their acquirement ; and an Order in Council, approved by the Lieutenant-Governor, was passed on the 14th of December confirming the selection of the lands thus made.

Immediately following the approval of the selected properties the Commissioners were authorized to employ experts to value the lands, buildings, and improvements in order that they might, if possible, agree with the respective owners as to the price and terms of payment. This work was completed in January, 1886 ; but as the Commissioners were unable to arrange terms, except in two instances, reference was had to the Provincial Arbitrators appointed under the provisions of the "Public Works Act of Ontario." Some delay arose in commencing the arbitrations, but they were finally entered upon and the nineteen cases, with respect to which arbitration proceedings became necessary, were practically completed before the close of 1886. The total amount of the awards, together with the costs of the arbitrations, amounted to \$436,813.24.

Having secured an appraisal of the lands in the manner prescribed by the Act, the Commissioners had then to devise a financial scheme for the payment of the same, and to provide funds for the improvement and maintenance of the park. The Act provided that, in case the report of the Commissioners so recommended, the Lieutenant-Governor in Council might invite proposals from companies willing to undertake the establishment and maintenance of the Park, subject to certain stringent conditions respecting the raising of revenue from tolls, etc., and in the event of any proposal being satisfactory might transfer to trustees, or to a company incorporated under the "Letters Patent Act," the right of acquiring, for the purpose of a park, the lands selected, at prices agreed upon or to be settled by arbitration, and subject to ratification by the Legislative Assembly. After the most careful and exhaustive consideration of the subject the Commissioners arrived at the conclusion that it was not in the public interest to have the Park and its franchise, under any conditions, controlled by a private company ; and they strongly recommended the Government to establish and maintain the Park as the property of the province with its management entirely under provincial control. The Commissioners further recommended that in order to procure funds for the purchase of the lands selected, and for the preliminary works of reclamation and improve-



Ice Formations Under Table Rock, Queen Victoria Park.

ment, the Government should authorize the issue of forty-year bonds bearing four per cent. interest to the extent of \$525,000, principal and interest being guaranteed by the Province, and to form a charge against the revenues of the Park.

Acting on these recommendations of the Commissioners, the Government introduced and passed an Act at the session of 1887 entitled,

"An Act respecting the Niagara Falls Park (50 Victoria, chapter 13), which is as follows: "Whereas, in pursuance of the Niagara Falls Park Act, the Lieutenant-Governor in Council did approve of certain lands selected by the Commissioners for the purposes set out in the preamble of the said Act; and a map of the Park, showing the boundaries thereof and the lands taken, was submitted to the Lieutenant-Governor and approved in Council, and copies duly certified and authenticated were filed and deposited in the office of the Registrar for the County of Welland, and in the office of the Commissioner of Crown Lands; and whereas the prices to be paid for the said lands have been ascertained and determined and it is expedient to make provision for the payment thereof, and for the means required to establish, maintain, improve and develop the said lands, as and for a public park; therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario enacts as follows:

"1. The Park shall be called 'The Queen Victoria Niagara Falls Park,' and this Act may be cited as 'The Queen Victoria Niagara Falls Park Act, 1887.'

"2.—(1) From and after the commencement of this Act, Colonel Casimir Stanislaus Gzowski, of the City of Toronto, Aide-de-Camp to the Queen; John Woodburn Langmuir and James Grant Macdonald, both of the City of Toronto, Esquires, the persons forming the Board of Commissioners for Niagara Falls Park, and two other persons to be appointed by the Lieutenant-Governor-in-Council, if he thinks fit, shall be a corporation by the name of 'The Commissioners for the Queen Victoria Niagara Falls Park,' and shall continue to hold their respective offices as members of the said corporation during the pleasure of the Lieutenant-Governor-in-Council, and the Lieutenant-Governor-in-Council may, upon the death of any such persons respectively, or on their resignation or removal from office, and from time to time thereafter, appoint other persons to fill their places during pleasure as aforesaid.

"(2) The Commissioners shall receive no compensation except their actual disbursements in discharging their duties.

"3.—(1) The lands selected by the Commissioners of Niagara Falls Park, approved by the Lieutenant-Governor and marked upon the map and contained within a red verge line marked on the said map, with the exception hereinafter mentioned, are hereby vested in the said corporation as trustees for the Province, subject to the payment being made which is hereinafter mentioned. The amounts agreed to be paid or awarded are to be paid upon proper conveyances being executed to the said Commissioners, subject as hereinafter mentioned; or in case no proper conveyance is executed, the money may be paid into court, in accordance with and subject to the terms of 'The Niagara Falls Park Act' and 'The Revised Act respecting the Public Works of Ontario,' as incorporated in the Park Act.

“(2) The payment is to be made within fifteen days from the passing of this Act, with interest to be computed from 30th March, 1887, to the day of payment, at the rate of six per cent. per annum ; and payment within such period shall be as effectual as if made within the period fixed for payment by ‘ The Niagara Falls Park Act.’

“(3) The costs which shall be payable under awards where amounts are paid into court, may be paid to such of the persons interested as appeared before the official arbitrators.

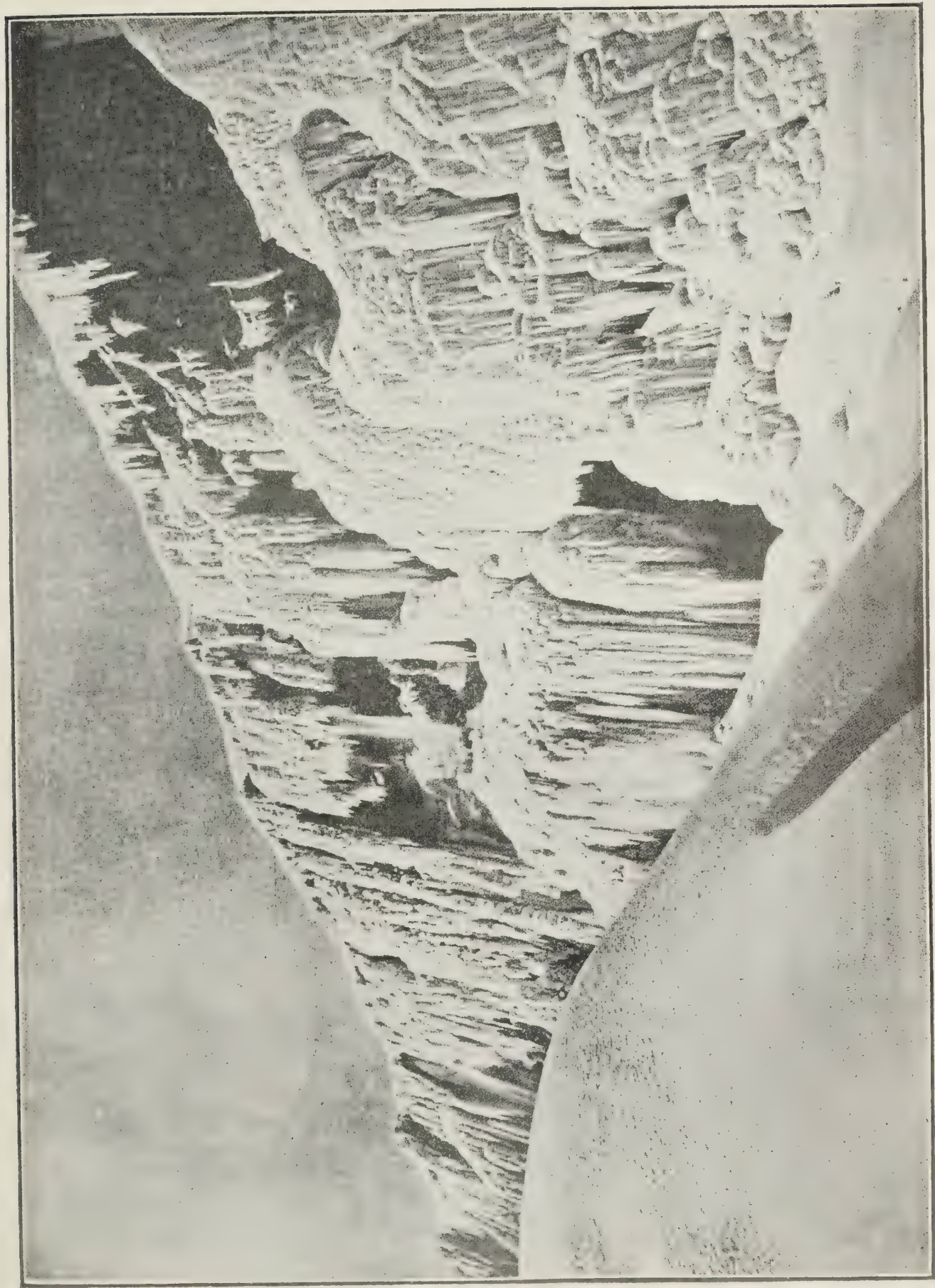
“(4) The land so excepted is the following :

“Excepting a strip of land lying between range number six, as laid down in the plan of the City of the Falls, in the Township of Stamford on the north, and by Street’s Mill road and the lands held by the Carmelite monastery on the south, the easterly boundary whereof is at a distance of 130 feet east of the centre line of the Canada Southern Railway, and the westerly boundary whereof being the westerly line of the Park, as appears in the Park plan, filed and registered, between said range number six and Street’s Mill road and monastery lands, and approximately of the width of seventy-nine feet between said range number six and Street’s Mill road, which said strip is by this Act excluded from the Park ; and except, also, that until the municipal corporation otherwise orders by by-law, subject to section 546 of ‘ The Consolidated Municipal Act, 1883,’ Robinson and Murray streets shall be public entrances to the Park for visitors by carriages or on horses or on foot.

“4.—(1) The Commissioners may agree with the person or persons, or association of persons, whether incorporated or not, who exercise, own or control the taking and collecting of tolls upon that portion of the gravel or macadamized road known as the St. Catharines, Thorold and Niagara Falls road, between Table Rock and the north boundary line of the Park on the aforesaid plan marked, as well as the title, interest and possessory right, which such person or persons as aforesaid have to the said road and the land whereon the same is laid out, together with the toll-house and appurtenances between the said points, for the price to be paid for the said rights to take tolls, and the title, interest and possessory rights, land, toll-house and appurtenances aforesaid.

“(2) And if the Commissioners and the said persons as aforesaid are unable to agree, the sums to be paid shall be determined by arbitration in the manner provided by ‘ The Niagara Falls Park Act ;’ and any party to the arbitration may appeal from the award in manner and according to the provisions of ‘ The Act respecting Awards under the Niagara Falls Park Act.’

“(3) The right and power which the persons aforesaid have to collect tolls over the residue of the road known as the St. Catharines, Thorold and Niagara Falls road shall not be affected by reason of the acquisition by the Commissioners of that portion between the Table Rock and the north boundary line of the Park on the aforesaid plan marked, except by reason of the diminution of mileage, although that part of the road held or retained by the said persons beyond the limits of the Park may be shortened to less than five miles in length.



Under Table Rock in Winter, Queen Victoria Park.

“(4) In case of an arbitration the arbitrators shall take into account any depreciation, if such there may be, in the value to the persons aforesaid of the remainder of the road.

“(5) The arbitrators shall also determine the value of the whole road between the Table Rock and the point about five miles therefrom, in respect of which tolls are now collected, in order that the Commissioners may have the opportunity of paying to the persons aforesaid, as sanctioned by the Legislature at its next session, the difference between the value of the whole road between said points and the value of the part hereinbefore mentioned of the road aforesaid ; and in case of such payment being sanctioned and made within fifteen days after the end of such session, that part of the road built upon the military reservation or ordnance property shall vest in the Commissioners, and the Park shall then extend over and include, as well the military reservation as the land lying between such reservation and the Niagara river, as far as the limit between lots number 92 and 93 of Stamford, but not affecting or interfering with the rights of any companies having bridges over the Niagara river ; and all the provisions of this Act and ‘ The Niagara Falls Park Act ’ shall apply to such extension of the Park as if included within the Park at the time of the passing of this Act, saving the reservation of a public way between the Clifton House and the limit between said lots 92 and 93, such public way being subject to reasonable tolls upon horses and carriages passing over the same.

“(6) All costs in respect of the matters in this section contained shall be in the discretion of the arbitrators.

“(7) Upon the acquisition by the Commissioners of the interests and rights in that portion of the said road within the Park as now limited, all rights to take and collect tolls, as well as the public rights in the said portion of the road shall be extinguished.

“(8) Nothing in this section is intended to extend to or affect any right or title of the Dominion of Canada to any property known as the military reservation or ordnance property.

“5. The Lieutenant-Governor-in-Council may at any time, or from time to time, vest in the Commissioners, to be held for the purposes of the Park, and subject to any conditions which may be imposed by Order in Council, any part or portion of the Crown Lands, the property of Ontario, lying along the bank of the Niagara river, and not included in the original survey of lots laid out in the Townships of Stamford and Niagara, which lands so vested shall thenceforth form part of the Park and be subject to the control of the Commissioners like the other lands aforesaid.

“6. The provisions hereinbefore and in the former Act contained for authorizing the Commissioners to take, use or acquire, and authorizing all persons to sell and convey, lands, hereditaments or rights, shall extend to any lands, hereditaments and rights which the Commissioners, with the consent of the Lieutenant-Governor-in-Council shall hereafter think proper or expedient to be acquired for the purpose of making, forming and completing any new roads, avenues or approaches to the Park ; but nothing in this section contained shall authorize the

Commissioners to take any lands for the purpose aforesaid, against the consent of the parties interested therein.

“7.—(1) The Commissioners may raise, for the purposes and objects intended to be secured by ‘The Niagara Falls Park Act’ and this Act, the sum of \$525,000 and no more by the issue of debentures. The appropriation and application of the money shall be assured to the satisfaction of the Lieutenant-Governor.

“(2) The debentures shall be under the corporate seal and the hands of two of the Commissioners, and shall be countersigned by the Treasurer of the Province, and the same shall be for such respective amounts payable on the 1st of January, 1927, and at such rate of interest not higher than four per cent. per annum, and shall be disposed of at such prices and on such terms as may be determined by the Commissioners and approved by the Lieutenant-Governor-in-Council. The interest shall be paid half yearly on such days as shall be mentioned in the debentures.

“(3) The debentures shall, equally and without preference of one over the other, be a charge on all the revenues of the corporation, and the Lieutenant-Governor by Order-in-Council may also guarantee payment of the same.

“(4) The debentures so issued and countersigned shall become conclusive of the same having been issued in pursuance of this Act and of the same being guaranteed by the Province of Ontario.

“(5) The debentures shall be transferable by delivery, and the coupons for interest annexed thereto shall also pass by delivery.

“(6) The moneys to be raised by means of the said debentures shall be applied in paying the purchase moneys of the lands to be acquired, in making necessary improvements, constructions and appliances to be used in connection with the Park, in recouping the province for expenses incurred by it with reference thereto, and in paying current expenses of the Park and interest on the said debentures until a sufficient revenue for the said purposes is obtained from the fees charged.

“8.—(1) Subject to any direction of the Lieutenant-Governor in Council, the Commissioners may construct and operate inclined planes and hydraulic or other lifts to be worked by any powers; and may build and operate boats or vessels to be used in connection with the Park.

“(2) Subject as aforesaid, the Commissioners may pull down all houses and other erections and buildings on lands acquired and purchased by virtue of this Act, or such of them, or such part thereof as they shall think proper to be pulled down and may level and clear the ground whereon the same stand in such manner as they think proper, and sell, or cause to be sold, the materials of the houses and other buildings to be taken down and removed; and the moneys to be produced by the sale thereof, after deducting expenses, and also the rents and profit to which they may be entitled meantime, shall be applied and disposed of for or towards the purposes of this Act.

“(3) Subject as aforesaid, the Commissioners shall lay out, plant



The Lovers' Walk, Dufferin Islands, Queen Victoria Park.

and enclose the Park, in such manner as they think fit, and improve and develop the same in accordance with the objects of the Niagara Falls Park Act.

“(4) Subject as aforesaid, the Commissioners shall have power to take and collect tolls for the use of works, appliances, or works required to afford facilities to visitors to reach and view the points of interest within the park, and involving the expenditure of money in construction and maintenance, as well as for services to be rendered for the convenience or accommodation of visitors.

“(5) Subject as aforesaid, the Commissioners may from time to time make orders and regulations for opening and closing the gates and entrances of the park or any of them, at such hours as they may think fit. This is not intended to interfere with or affect, an agreement which has been heretofore entered into between the Commissioners and the Canada Southern Railway.

“9. The plans of all works proposed, and all tariffs of tolls or payments for the use of works, vessels or services, as well as all by-laws, shall require the approval of the Lieutenant-Governor-in-Council before being acted upon.

“10. The park grounds shall be open to the public, subject to any rules and regulations as to management approved by the Lieutenant-Governor in Council.

“11.—(1) The Commissioners may make by-laws, to be approved by the Lieutenant-Governor-in-Council, for the use, government, control or management of the park, and for the protection and preservation of all works from injury of the same, and of the trees, shrubs, walks, seats, gates, fences, and palings, and all other parts thereof, and for the exclusion of improper persons from the same, and may alter or revoke any such by-laws and shall appoint a penalty not exceeding twenty dollars for any breach of a by-law.

“(2) The Commissioners may from time to time appoint such officers as may be required for the superintendence and management of the Park, and may also appoint park keepers and other officers to preserve order in the Park, and may from time to time dismiss any persons so appointed; the appointments or dismissals being subject to the approval of the Lieutenant-Governor; and the salaries of such officer shall be payable out of any funds in the hands of the Commissioners.

“(3) Any person entrusted by the Commissioners with the custody or control of moneys by virtue of his employment, shall give security in the manner and form provided by ‘The Act respecting public officers.’

“(4) The Commissioners may from time to time employ gardeners and workmen as they deem necessary, and may from time to time dismiss or dispense with the services of such persons subject to any directions of the Lieutenant-Governor in Council.

“(5) The Commissioners shall cause books to be provided and kept and true and regular accounts to be entered therein, of all sums of money received and paid, and of the several purposes for which the same

were received and paid ; which books shall at all times be open to the inspection of any of the Commissioners, and of the Treasurer of Ontario, and of any person appointed by the Commissioners or Treasurer for that purpose, and of any other person appointed by the Lieutenant-Governor ; and the Commissioners and persons aforesaid may take copies of or extracts from the said books.

“12. The revenue to be received from the sources authorized by this Act shall be applied as follows :

1. To the necessary outgoing expenses of all works necessary to the preservation, improvement and maintenance of the Park, and to the payment of the salaries of officers and others employed by the Commissioners, and other incidental expenses.

“2. To the payment half-yearly of the interest payable on the debentures authorized to be issued by the Commissioners.

“3. To pay a sinking fund at the rate of one per cent. per annum on the entire amount of the debentures authorized to be issued as aforesaid.

“13.—(1) The annual sums for the sinking fund shall be remitted by the Commissioners to the Treasurer of Ontario by half yearly payments in such manner as the Lieutenant-Governor-in-Council from time to time directs, for the investment and accumulation thereof under the direction of the Lieutenant-Governor in Council.

“(2) The sinking fund shall be invested in such securities as the Lieutenant-Governor in Council from time to time thinks proper, and shall, whether invested or not, be applied from time to time under the direction of the Lieutenant-Governor in Council, in discharging the principal and the interest thereon of the debentures.

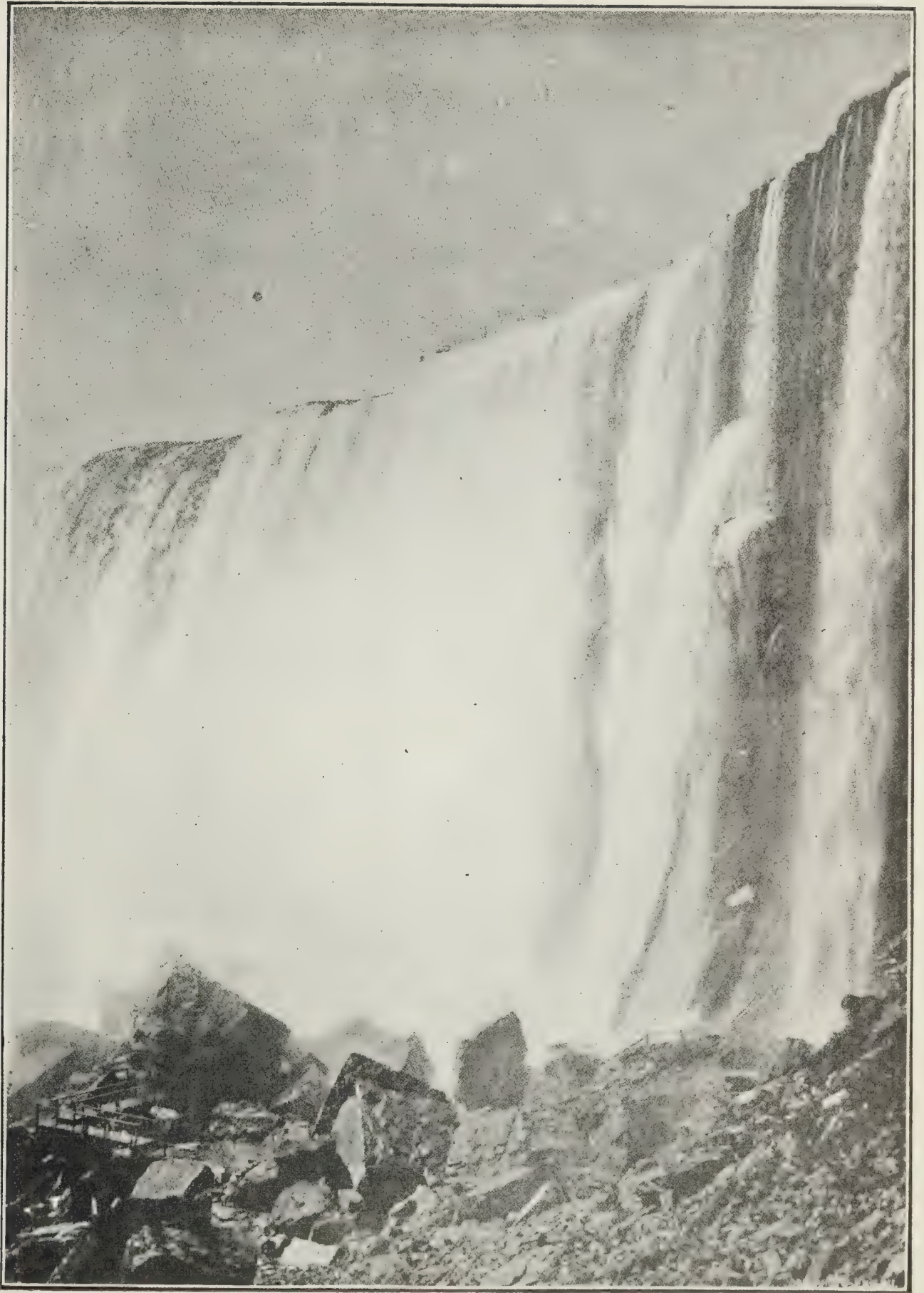
“14. The Commissioners shall make an annual report for the information of the Legislature, setting forth the receipts and expenditure of the year, and such other matters as may appear to them to be of public interest in relation to the park, or as the Lieutenant-Governor in Council may direct.

15. “Sections 24 to 27 of ‘ The Act to provide for the better auditing of the public accounts of the Province ’ shall apply to the accounts of the Commissioners in respect of receipts and expenditures.”

16. “Sections 12, 13, 14 and 15 of ‘ The Niagara Falls Park Act ’ are hereby repealed.”

When the foregoing Act received the assent of the Lieutenant-Governor, the number of Commissioners was increased to four by the appointment of Mr. John A. Orchard, of the Village of Niagara Falls, and the Board immediately appointed Mr. James Wilson, Civil Engineer, to be Superintendent of the Park.

Under the provisions of clause 7 of the Act, the Commissioners invited offers for the purchase of the bonds which they were authorized to issue, and the whole issue of \$525,000 was disposed of for \$534,667.14, whereupon the awards made in respect of the lands covered by the Park were paid and possession of the several properties taken early in



Under Table Rock, Queen Victoria Park.

the summer of 1887.

The work of reclamation was immediately begun. The many unsightly structures on the highway along the river bank, were removed, cellars filled up, fences and outbuildings cleared away, bridges strengthened and repaired, new roads and paths constructed, and work on a new hydraulic elevator, to enable visitors to go under the Falls with comfort, was begun. These and many other works essential to a beginning of the general plan of improvement were proceeded with and on the 24th of May, 1888, the park was in fit condition to be thrown open to the public. Shortly after this the citizens of the town of Niagara Falls expressed a desire to manifest their appreciation of the establishment of the park, and taking advantage of the troops being in camp at Niagara-on-the-Lake, a grand civil and military display was held in honor of the event on 21st of June, when no fewer than 13,000 visitors witnessed the imposing military pageant and games, and greatly enjoyed, under the improved conditions, the beautiful grounds which had become the property of the Province.

Power having been conferred upon the Commissioners by the Park Act of 1887 to acquire that part of the St. Catharines, Thorold and Niagara Falls macadamized road which extends along the High bank of the river from Table Rock northwards to the Grand Trunk Suspension Bridge, arbitration proceedings were instituted to determine the value of the property, resulting in the acquirement of the road by the Commissioners, together with all rights of the Company to collect tolls etc. The Commissioners, at the request of the Town of Niagara Falls, extinguished the tolls, and made the road which forms the front street of the town, and which is the principal avenue of access to the Park, entirely free to the public.

Recognizing the propriety of making the park system as complete as possible, the Ontario Government passed an Order-in-Council on the 15th of July, 1887, which was confirmed by a grant under the Great Seal of the Province dated 20th April, 1888, vesting in the Commissioners, for park purposes, all the land upon the top of the high bank of the river, and in the talus below, lying between the surveyed lots and the water's edge, and extending from the north boundary of the Park at the Clifton House down to the lands forming the Military Reserve at Queenston Heights. This addition to the park domain of the whole reach of the magnificent gorge on the Canadian side and bounding the mighty river in all its diversified phases of still water, eddy, current, rapids and whirlpool for over seven miles, while materially increasing the labors of the Commissioners, opened up new fields for the prosecution of the work of preservation and restoration to which they had set their hands.

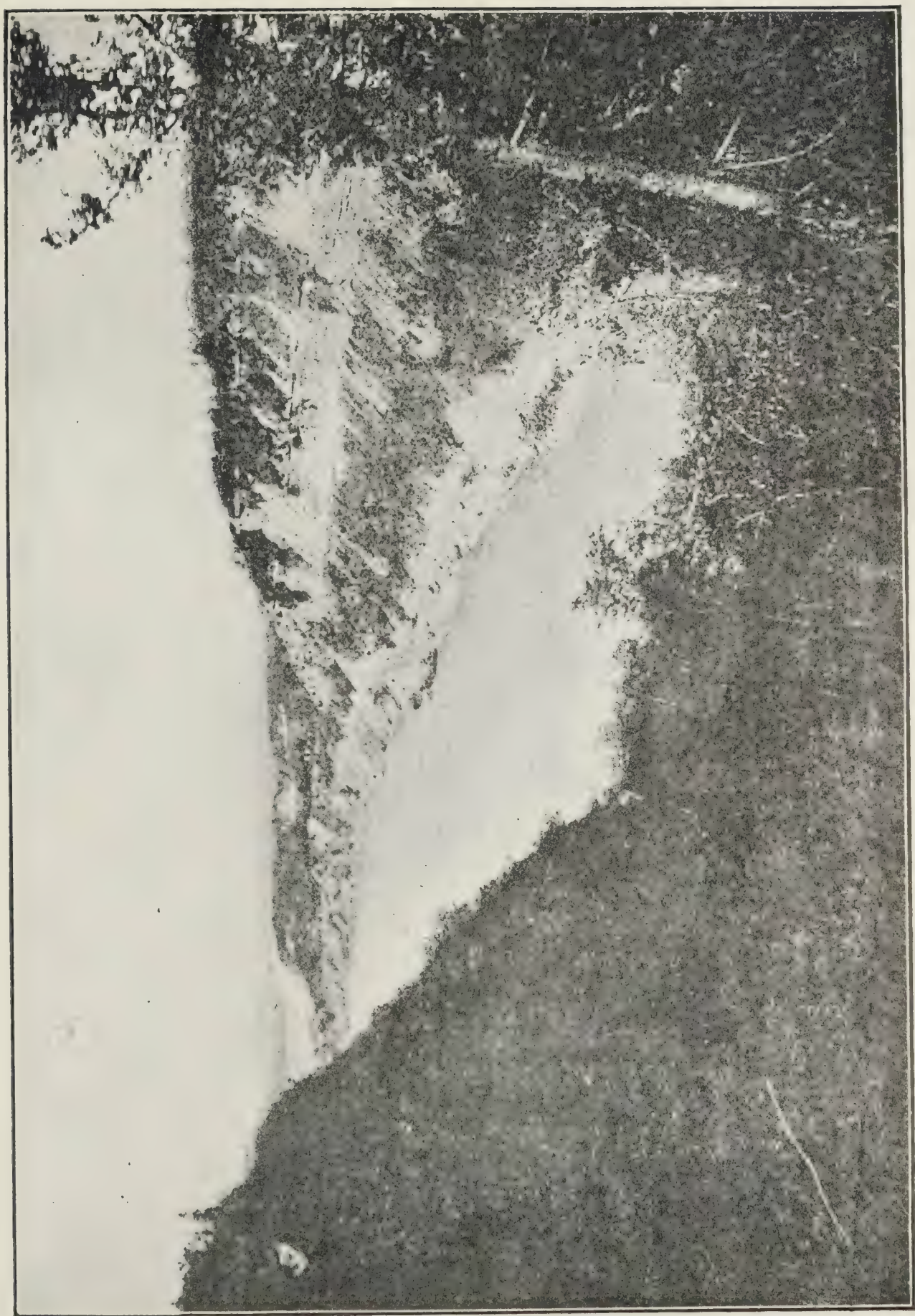
It soon, however, became apparent that the Dominion Government claimed title to a portion of these lands, locally known as the Chain Reserve, and that an important franchise had been given by that Government, without the knowledge of the Commissioners, for the construction of a carriage road and tramway along the foot of the talus near the water's edge in front of the town, from the ferry landing to the Cantilever Bridge, and with rights for elevators or inclines to connect with the top of the bank at either extremity, the southern one being located within the limits of the park as defined by the Act. As

the operation of such a franchise by individuals acting independently of the Commissioners and partly within the territory under their jurisdiction, could not fail to cause confusion and disorder, the Commissioners took prompt action to test the validity of the title under which the franchise was given, and inter alia to set at rest the conflict of authority which had arisen between the Dominion and Provincial Governments, with respect to the ownership of the so-called chain reserve along the bank of the Niagara River. Apparently the chief question at issue was as to whether the reserve forms a part of the Ordnance lands which passed to the Dominion under the British North America Act, or still constitutes a portion of the township of Stamford which became vested in the Province of Ontario at the time of Confederation. After protracted delays the case went to trial in June, 1892, before His Lordship Chancellor Boyd, and was concluded in October of the same year. The learned Chancellor gave a very elaborate judgment in the case, which was altogether in favor of the Commissioners, and upheld the title of the Province to all the lands in question; and the lessees under the Dominion Government were perpetually restrained from going on with their works or in any way interfering with the property vested in the Commissioners under the Park Act. The judgment was appealed from by the Government of Canada, and was tried in October last before their Lordships the Honorable Chief Justice Haggerty and Justices McLennan, Osler and Burton, but up to the present date judgment has not been delivered.*

Notwithstanding the action above referred to, the Commissioners received many assurances of the friendly attitude of the Dominion Government to the Park project. Application was therefore made for the formal cession to the Commissioners for Park purposes of whatever rights the Dominion Government had, or claimed to have, in and to the so-called Chain Reserve, as well as any other rights which might attach to any portion of the lands or premises coming within the scope of the suit which had been instituted. After a full consideration of the application a patent, under the Great Seal of Canada, was issued on the 4th of November, 1890, by which all the right, title or claim which the Dominion Government had in respect to any of these lands was surrendered to the Commissioners. As, however, the grant was made subject to any leases, sales or licenses which had been entered into, previous to that date by the Government of Canada, affecting any part of the lands in question, the Commissioners were compelled to prosecute the action then in the Courts in order to determine their status in respect to any such rights leased or granted. Many delays occurred in these proceedings and it was considered inadvisable, until the case is finally disposed of, to undertake works of improvement involving much outlay in this portion of the Park.

During the progress of the preliminary works of reclamation and prior to the opening of the property to the public, the Commissioners carefully considered the by-laws and regulations for the government of the Park. It was deemed advisable to follow the suggestion, in this particular, of Lord Dufferin, and make them correspond as closely as possible to the regulations adopted by the Commissioners of

*Note—Since writing this Report a unanimous judgment was rendered in favour of the Commissioner sustaining in all particulars the decision of Chancellor Boyd.



North Terminus of Niagara Canon, Queen Victoria Park.

the New York State Reservation, which had been in force in their park from the time of its opening in 1885 ; accordingly the rules adopted for the preservance of order, and the measure of authority given the executive officers of the two Parks, were made to conform as closely as the conditions of the cases would admit.

It may be well to state here that when the Government of Ontario had the Park scheme under consideration there were two important general principles which they regarded as indispensable conditions. These were :—

1. That the Park should not entail a permanent financial burden upon the Province, but that it should become, as soon as possible, entirely self-sustaining.

2. That as far as possible the Niagara Falls Park on the Canadian side should be as free to the public as the corresponding reservation on the United States' side of the river.

The preparation of the measures necessary to give effect to these general principles proved no small or unimportant part of the task which the Government laid upon the shoulders of the Commissioners on their appointment in 1887 ; and from the outset the question of deriving a sufficient revenue from the Park occupied their most serious attention. From the most reliable data obtainable from railway and other sources respecting the stream of travel to Niagara, it was ascertained that in the years immediately preceding 1887, from 200,000 to 250,000 persons annually visited Niagara, and that of these a large percentage visited all the points of interest in and around the Falls on each side of the river. From a very careful estimate, based upon the returns of revenue, as shown in the evidence taken at the official arbitration proceedings in connection with the various properties required for the Park systems, it appeared that on an average the total cost to each visitor to the various points of interest, under the methods existing prior to the establishment of the Parks, was not less than \$1.50. As it was essential, in order to give effect to the second of the general principles referred to, that the charges, while not bearing unduly upon the poorer classes of visitors, should produce sufficient revenue to meet the annual interest on the bonds and the cost of works of improvements and maintenance, the Commissioners proposed that the Park should be absolutely free to all who entered it, in order to enjoy its natural attractions, and obtain the views afforded without artificial aid, but that a fee should be charged, not exceeding fifty cents, to all who might avail themselves of the structural appliances and guides in order to view the Falls to better advantage.

This course, it was considered, was substantially in harmony with that pursued on the United States side, where charges are made for the use of the inclined railway and for visiting the "Cave of the Winds." In any comparison made with the American portion of the Park system it should be borne in mind that the conditions under which the New York State Reservation was acquired differed very materially from those which prevailed in the acquisition of the Canadian Park. In the former the cost of the lands expropriated became a charge against the revenue of the State of New York, and all the lands were practically handed over to the Board of Commissioners as a gift from the State

for the purposes of a Park, and in addition the Legislature authorized the payment to the Commissioners of an annual appropriation of \$20,000 from the funds of the State for the maintenance of the Reservation, which amount was increased subsequently to \$25,000.

In the case of Ontario, as has been shown, the lands were not acquired by moneys provided by the Province, but by the sale of bonds issued on the security of the Park property, the principal and interest, however, being guaranteed by the Province. From the first it has been considered a *sine qua non* that the interest and the sinking fund, as well as the cost of protection and maintenance of the property should be provided for out of revenues to be obtained from visitors to the Park. The necessity, therefore, to collect tolls in the Ontario Park became more imperative than in the New York Reservation. In preparing a tariff of tolls, the Commissioners were guided by the following considerations :—(1) To raise the required revenues exclusively from tolls for the use of artificial constructions and appliances, or as compensation for the services of guides required, to better enable visitors to view and enjoy certain points of special interest ; (2) To assimilate as far as practicable the system of levying tolls to that prevailing in the New York Reservation, and (3) To give full effect to the policy that the Park grounds, with all the privileges thereof (except especial appliances or guides, before referred to) should be open and free to the public without charge.

The amount of revenue which had to be collected annually, in order to meet the financial requirement, was estimated to be as follows :—

Four per cent. on \$525,000 bond issue	\$21,000
Sinking fund of one per cent. per annum	5,250
Cost of protecting and maintaining the property	15,000
	<hr/>
	\$41,250

Based upon the estimated number of visitors that would enter the Park these tolls would amount to an average charge of from sixteen to twenty cents for each visitor.

Believing that the general public would appreciate the efforts of the Commissioners to reduce to the lowest possible figure the cost of seeing the varied natural attractions at the Falls, and would cordially respond, by a largely increased patronage, to the effort to realize from the moderate charges proposed sufficient revenue for all the necessary purposes of the Park, the Commissioners framed the following tariff of tolls, which was duly approved by an Order in Council :—

1. Entrance of carriages and persons on foot Free.
2. Pedestrians on islands 10 cents.
3. Carriage drawn by two horses over islands 50 “
4. Carriage drawn by one horse over islands 25 “
5. Each visitor under the Falls supplied with dress. 50 “
6. Each visitor under the Falls without dress 25 “

Of these tolls the only one that has been adversely criticised, and the only one, therefore, which calls for special explanation, is that made for the use of the bridges connecting the islands in the south half of the Park. In justification of this charge, it may be stated that the

Park might have been terminated at the south end of Cedar Island, a few hundred yards above Table Rock, thus effecting a saving in the capital outlay for the acquirement of land of considerably over \$100,000, with a corresponding reduction in the cost of maintenance. In order, however, to afford visitors perfect views of the American and Horse Shoe Falls, and of their unrivalled setting from every possible coign of advantage on the Canadian side, and at the same time provide in full view of the Falls sufficient area for the picnic and pleasure grounds essential for the enjoyment and recreation of the vast number of visitors, the Commissioners decided to acquire the additional territory including the Dutterin Islands.

It must be admitted by every discerning and appreciative visitor to Niagara that for the elements of tranquil beauty, charming variety of land and water scape and extraordinary wealth of rare flora the Dutterin Islands are simply unrivalled. The impressions borne in on the mind by contemplating from these islands, the grandeur and power of the river in its wild descent from smooth water to the verge of the Fall have been thus eloquently described by the Duke of Argyle :—

“When we stand at any point near the edge of the river and look up at the course of the stream the foaming waters of the rapids constitute the sky line. No indication of land is visible, nothing to express the fact that we are looking at a river. The crests of the breakers, the leaping and the rushing of the waters, are still seen against the clouds as they are seen in the ocean when the ship from which we look is in the trough of the sea. It is impossible to resist the effect on the imagination. It is as if the fountains of the great deep were being broken up and that a new deluge were coming on the world. The impression is rather increased than diminished by the perspective of the low wooded banks on either shore running down to a vanishing point and seeming to be lost in the advancing waters. An apparently shoreless sea tumbling toward one is a very grand and a very awful sight. Forgetting then what one knows, and giving oneself to what one only sees, I do not know that there is anything in nature more majestic than the view of the rapids above the Falls of Niagara.”

Reverting to the question of revenue, it was soon found on the opening of the Park, that although the number of visitors entering the gates was considerably in excess of the number previously estimated, the amount of the revenues received under the tolls above referred to did not exceed on the average two and one-half cents for each visitor. The smallness of this revenue, and its utter insufficiency for the purposes intended, was a matter of regret to the Commissioners, and at first seemed almost inexplicable. It appeared, however, that a somewhat similar experience had followed the opening of the New York State Reservation ; and the cause was doubtless largely due to the methods of doing business that prevailed with the owners of bazaars and other attractions allied with the hack and livery men. Under this combination, visitors were induced to go to those establishments, in preference to, and if possible, before entering the Park ; the hackmen being paid large commissions on the sales of fancy goods and for the patronage they brought to the owners of the bazaars and other attractions. It was found that fully one-half of the visitors to the Canadian Park entered the gates in carriages, and might fairly be assumed to be general-

ly of the classes in more or less comfortable circumstances, who could be reasonably expected to pay the trifling fees exacted for the use of the appliances provided for seeing and enjoying to the utmost the infinite beauty and grandeur of the Falls, and the varying loveliness of the upper reaches of the Park, especially when it is borne in mind that from these classes very large revenues were collected by the owners of the property prior to the establishment of the Park.

After two years' experience of these most unlooked for results, the Commissioners were forced to admit that, even under improved conditions, the sources from which the revenues were drawn would prove altogether inadequate to meet even the annual cost of maintaining the Park, without taking into account the amount required for the payment of annual interest and sinking fund on the debentures. It, therefore, became imperative that new sources of revenue should be devised, unless the cost of maintenance and improvement was to be, to a large extent, assumed by the Province. The Superintendent was, therefore, authorized to make a survey of the river bank, with a view to locating a line of electric railway which would connect, at Queenston, with the steamers of the Niagara Navigation Company for Toronto and points on Lake Ontario, and on the south, with navigation on the upper reach of the Niagara River between Chippawa, the City of Buffalo and Lake Erie points; and connecting with the Grand Trunk Railway at the Suspension Bridge. The Commissioners believed that a line of electric railway forming connections with these main avenues of travel and opening up to visitors near views of the whole course of the river, with all its unrivalled wealth of scenic effect, would be a most valuable franchise which capitalists would pay something to secure.

Apart altogether from the question of revenue, it became apparent from the first opening of the Park that more convenient transport should be provided to all parts of the grounds from the Grand Trunk Railway Depot, at which nearly all the large excursions to the Falls from points in Canada disembarked. The street railway of the town did not approach nearer than a mile to the Falls at any point where entrance could be had to the Park; and its equipment, at best, was quite inadequate for handling the large excursions coming from all points of Canada and the United States. The number of cabs was too limited, and to most of the excursionists, too expensive. The distance from the Grand Trunk Depot to Table Rock is two and a half miles, and to the Dufferin Islands three and a half miles, and as excursionists are generally accompanied by a large number of children and are also frequently encumbered with baskets, walking such a distance was attended with great fatigue and discomfort; and one trial was usually sufficient to deter them from attempting another expedition in the same manner.

It was also found that organized efforts were made by the owners of bazaars, and other attractions on the American side, to capture any excursions booked for the Canadian Park. Agents were invariably sent to meet the special trains conveying these excursions for the purpose of selling coupon tickets for admission to a number of the so-called points of interest, including bazaars and restaurants. In addition, substantial inducements were freely offered to the promoters of the excursion to entice the whole party to the American side. The large pro-



The Dufferin Islands, Queen Victoria Park.

fits made on the sales to members of these excursion parties enabled the owners of these places to subscribe liberally to the funds advanced for this purpose. Even those crossing Lake Ontario by steamer from Toronto, or elsewhere, found it much more convenient to take the observation trains of the New York Central Railway, at Lewiston, which afforded partial views of the lower reach of the gorge, and landed the excursionists within a few minutes' walk of the Park and river on the American side. For these and other reasons it was found to be in every way most desirable that the electric railway should be built, and immediate attention was, therefore, given to the project; and as the first step, the right of way was secured where the lands vested in the Commissioners were not sufficient for the proposed road. After several offers had been made to dispose of the franchise, a contract was ultimately entered into with Messrs. Osler, Hammond, Hendrie and Angus, on behalf of a number of prominent Canadian capitalists, for the construction and operation of a line of electric railway through the Park and to Queenston and Chippawa, the Commissioners providing the right of way over nearly the whole of the distance, and furnishing all the water power necessary for the developing of the electricity to operate the line.

Under the terms of the agreement entered into with these capitalists, the sum of \$10,000 a year is secured for the Park revenue by way of rental. Early in 1892 the construction of the line was begun, and the work was sufficiently advanced to permit of the opening of the road, as a single track railway, on the 24th of May, 1893. The construction throughout is of a very substantial character, and the electrical and rolling stock equipment fully up to the requirements of the agreement. The success which attended the operating of the line from the first, convinced the Company that safety and convenience required them to double track the road throughout. To that end negotiations were entered into with the Commissioners, and after very careful consideration of all the circumstances governing the case, an agreement was ultimately arrived at, by which, in consideration of certain specific works to be performed by the Company, the laying of a second track was authorized, and the Company was able to have the work completed in time for the heavy midsummer travel of 1894. By the opening up of this route abundant provision has been made for the convenience of the visiting public of all classes; and the sublime panorama of Niagara in all its diversified scenic aspects, along its entire length, is opened up to view with every possible convenience for the tourist and at a trifling expense.

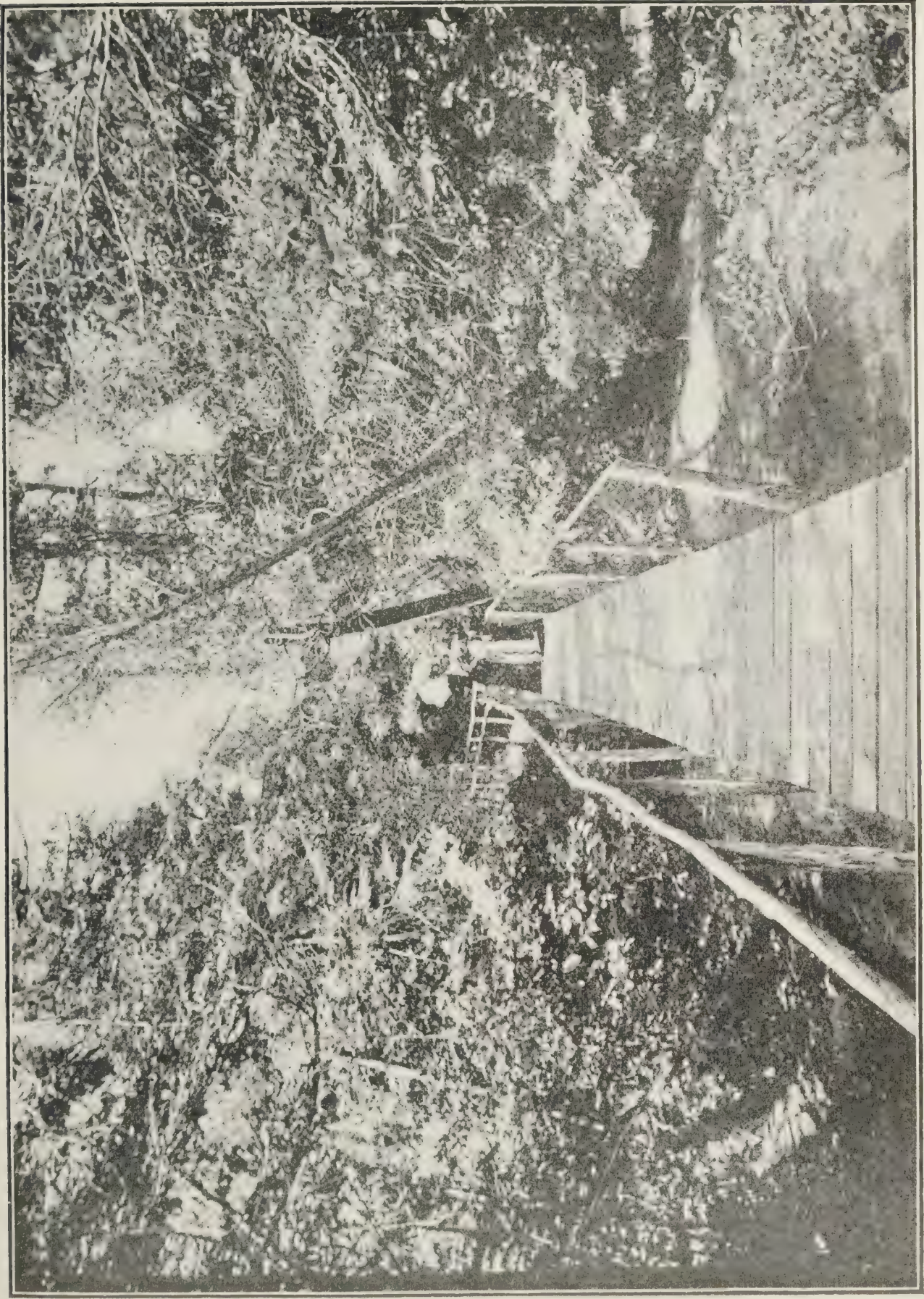
In addition to the electric railway, the Commissioners sought other means of raising revenue. They accordingly obtained the sanction of the Government to the granting of a franchise for the use of a portion of the enormous water power of the Falls for commercial purposes. It has been estimated that the total amount of power represented by the waters of Niagara falling over the cataract into the gorge below is equivalent to over four and a half millions of horse power, and the Commissioners considered that a small portion of this enormous power could be taken for commercial purposes without perceptibly affecting the flow of water over the face of the Fall, or necessarily interposing any objectionable features upon the landscape. This course appeared to them to be the more justifiable as operations had been begun by an

association of wealthy capitalists on the American side, having in view the taking of the waters of the river on a large scale for generating electric and water power for use in the town, and for carrying it to Buffalo and other places to supply users at a distance.

After negotiations with well known engineers and capitalists in both New York and London, England, extending over a considerable period, an agreement was ultimately entered into on the 7th of April, 1892, by which Messrs. Shaw, Stetson and Rankine, all of New York State—undertook, on behalf of themselves and others, to carry out the work ; and, as a guarantee of good faith, paid the Commissioners an amount, equivalent to two years' rental, in advance. This agreement was approved by the Government and confirmed by an Act of the Legislature, (Chapter 8, Vic. 55) under the terms of which the Company is authorized to take water from the Niagara River at the south end of Cedar Island through the extension of the natural channel forming the island, and to utilize the same for generating electric or pneumatic power, in buildings to be constructed at the foot of the high bank bounding the park—the spent water to be taken off by means of tunnels cut through the rock to a portal situated in the gorge near the foot of the Falls, substantially as is done by the Company operating on the American side.

The plans of all works required in the carrying out of the enterprise are to be submitted to, and approved by, the Commissioners before being authorized ; and all the power generated is to be transmitted for the use of customers without the park, and to points more or less remote. The agreement is for a period of twenty years, with the right of renewal for four further periods of twenty years, or one hundred years in all. For these privileges the Commissioners are to be paid \$25,000 per annum by way of rental for the first ten years, the amount increasing \$1,000 each year during the second period of ten years, and then continuing at the rate of \$35,000 per annum until the end of the period for which the franchise is granted. The Company has the right of terminating the lease at any time during the first period of twenty years by giving three months' notice. Work is to be commenced on or before the 1st of May, 1897, and to have proceeded so far that by the 1st of November, 1898, there will have been completed, water connections for the development of 25,000 horse power, and have actually ready for use 10,000 developed horse power of electric or pneumatic power. Every precaution has been taken in the agreement to conserve to the utmost the natural features of the park; and advantage will be taken of the changes in configuration necessitated by the carrying out of the work to improve and develop this hitherto neglected portion of the park property. The approval of the Commissioners has been given to the preliminary plans submitted by the Company ; but up to the present time the actual works of construction have not commenced.

As a third source of revenue the Commissioners decided to have the large stone building, which, prior to the establishment of the park, was used as a museum, fitted up as a restaurant, and also to provide much needed shelter during inclement weather for the largely increased number of visitors brought to the Park by the electric railway. It was also decided to combine with the restaurant franchise, the business of conducting visitors "Under the Falls" which had been carried



The Lovers' Walk, Dufferin Islands, Queen Victoria Park.

on by the park staff for some years, and also the photo privileges in connection therewith, which had been under lease for some years. Upon advertising for tenders the offer of Messrs. Zybach and Brundage was accepted ; and an agreement entered into by which the work of repairing and fitting up the restaurant building and Table Rock House was put under way. This agreement provides for the payment of a rental of \$8,200 per annum and extends over a period of ten years from the 1st of June, 1893, with the right of renewal for another ten years at a rental to be agreed upon, or settled by arbitration.

Owing to the unavoidable delays incurred in connection with the closing of these three important revenue-producing undertakings, and having regard to the continued inadequacy of the park receipts to meet the large expenditures necessarily incurred in providing for the interest on bonds, the maintenance of the Park and the works of improvement, as well as to provide funds for the purchase of properties found to be essential to the completion of the park system, it was found expedient to make a further issue of bonds to the extent of \$75,000, making the total bonded indebtedness of the property \$600,000.

Reference has already been made to the Chain Reserve along the west margin of the Niagara River, part of which, lying in the townships of Stamford and Niagara was granted to the Commissioners in April, 1888. In addition to this reserve, there is a strip of one chain, or 66 feet in width, from the high watermark reserved in nearly all the original patents granted by the Crown to lands fronting on the Niagara River in the Townships of Bertie and Willoughby, and extending from the Military Reserve at Fort Erie down to the mouth of the Welland River at Chippawa, a distance of nearly sixteen miles. A similar reservation was also made in all patents to lots fronting on the river in the township of Niagara from the Military Reserve at Queenston to the Military Reserve at Niagara-on-the-Lake, a distance of nearly six miles. These several reserves were vested in the Commissioners by grant under the Great Seal of Ontario on 20th October, 1891. This very extensive addition of territory still further enlarged the scope of the duties of the Commissioners ; and in order to obtain data on which to base a policy for its incorporation and maintenance, as a part of the park domain, the superintendent was instructed to make an examination and to report on the whole subject of the Chain Reserve. His report was as follows :—

“J. W. Langmuir, Esq., Chairman of the Park Commission :

“Sir. Acting under your instructions I have made an examination of the Chain Reserve along the west bank of the Niagara River, through the townships of Bertie, Willoughby, Stamford and Niagara, and beg to make the following report thereon :

“This property was vested in the Commissioners by the Government of Ontario under the authority of the Legislature, by the following acts, viz :

“A. Order-in-Council, approved on the 15th day of July, 1887.

“B. Grant under the Great Seal of the Province, dated 26th April, 1888.

“C. Grant under the Great Seal, dated 26th October, 1891.

"For convenient reference the full text of these documents is embodied herein.

A

"Copy of an Order-in-Council, approved by His Honor the Lieutenant-Governor, the 15th day of July, 1887.

"The Committee of Council have the honor to report for the information of your Honor, that by the 'Queen Victoria Niagara Falls Park Act, 1887, it was provided that the Lieutenant - Governor in Council may vest in the Commissioners, to be held for the purposes of the park, any part or portions of the Crown Lands, the property of Ontario, lying along the bank of the Niagara River, and not included in the original survey of lands laid out in the townships of Stamford and Niagara, and that the Commissioners have applied for a grant to be made to them accordingly of the following Crown Lands, the property of Ontario, viz :

"The land beginning at the north boundary of the Park, opposite the Clifton House, and lying in front of lots numbers 129, 128, 111, 110 and 93, in the Township of Stamford, subject to the Military Reservation of one chain in width on the edge of the cliff.

"Also the land in the said Township lying in front of lots 92, 75 and broken front of 74, and broken front of 59, and the land in the front of numbers 41, 40, 21, 20 and 1, and the land lying between number 1 and the Township of Niagara, known as the Gore or cross concession in Stamford.

"Also the land in front of lots 1, 2 and part of 3, fronting on the Niagara River in the Township of Niagara, as far down as Queenston.

"The Committee recommend that Your Honor do vest the said lands in the said Commissioners, as prayed to be held for the purposes of the said Park, and subject to the condition that compensation shall be made to any persons legally or equitably entitled thereto, in respect of any of the lands so vested.

"Certified,

"(Signed) J. Lonsdale Capreol,
"Assist. Clerk Executive Council."

B

"Copy of Grant under the Great Seal of the Province of Ontario, dated 26th day of April, 1888.

"A. Campbell, Province of Ontario."

"Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.

To all to whom these presents shall come :

"Greeting : Know ye that we, of our special grace, certain knowledge and mere motion have given and granted, and by these presents do give and grant unto the Commissioners for the Queen Victoria Niagara Falls Park, in fee simple, all those parcels or tracts of land situate in the Township of Stamford in the County of Welland, and in the

Township of Niagara in the County of Lincoln, in our said Province, being composed of all these pieces or strips of land which lie along the bank of the Niagara River, in the Township of Stamford and County of Welland between the lots hereinafter mentioned and the river. Beginning at the north boundary of the Park opposite the Clifton House, and lying in front of lots number 129 and broken front of 129, and numbers 128, 111, 110, 93, 92, 75, broken front of 74, broken front of 59, number 58, broken front of 58, broken front in front of number 41, numbers 40, 21, 20 and 1 of the said Township of Stamford, and the cross concession or Gore in Stamford, and those pieces or strips of land which lie along the bank of the River Niagara, in the Township of Niagara in the County of Lincoln, in front of surveyed lands in front of lots 1, 2 and 3 of the said Township as far as the Town of Queenston.

“Given under the Great Seal of our Province of Ontario.

“Witness the Honorable Sir Alexander Campbell, Knight Commander of our Most Distinguished Order of St. Michael and St. George, a Member of our Privy Council of Canada, Lieutenant-Governor of our said Province of Ontario.

“At Toronto, this twenty-sixth day of April, in the year of our Lord one thousand eight hundred and eighty-eight, and in the fifty-first year of our reign.

“By command of our Lieutenant-Governor in Council.

“(Signed) Arthur S. Hardy, (Signed) Aubrey White,
Secretary. Assist. Com. Crown Lands.”

C

“Copy of a grant under the Great Seal of Ontario, dated the 26th day of October, 1891.

“A. Campbell, Province of Ontario.”

“Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, etc., etc., etc.

To all to whom these presents shall come :

“Greeting : Known ye that we of our special grace, certain knowledge and mere motion have given and granted and by these presents do give and grant unto the Commissioners of the Queen Victoria Niagara Falls Park, all those parcels of land in the Townships of Bertie and Willoughby in the County of Welland, and in the Township of Niagara in the County of Lincoln.

“First, Being composed of all those pieces or strips of land which lie along the bank of the Niagara River, situate in the Townships of Bertie and Willoughby and County of Welland in the Province of Ontario, being composed of those portions of land fronting on the Niagara River, and extending from the Garrison Road in the Village of Fort Erie to and including lot number 22 in the second concession of the

Township of Willoughby, lying between those portions of lots heretofore granted by Letters Patent from the Crown and the water's edge of the River Niagara.

"Second, All those pieces or strips of land which lie along the bank of the Niagara River and County of Lincoln in said Province of Ontario, being composed of those portions of land fronting on the River Niagara, commencing at the intersection of the northerly angle of the Military Reservation at Queenston on lot number 5, broken front concession in the Township of Niagara with a point within one chain of the waters of the Niagara River, as referred to in the Letters Patent to Elijah Phelps, bearing date the 1st day of July in the year of our Lord one thousand seven hundred and ninety-nine, to and including a certain tract above Navy Hall, patented to Wm. McClellan on the 10th day of June, in the year of our Lord one thousand eight hundred and one, lying between those portions of the lots heretofore granted by Letters Patent from the Crown and the water's edge of the Niagara River.

"Given under the Great Seal of our Province of Ontario.

"Witness the Honorable Sir Alexander Campbell, Knight Commander of our Most Distinguished Order of St. Michael and St. George, a Member of our Privy Council of Canada, Lieutenant-Governor of our said Province of Ontario.

"At Toronto this 26th day of October, in the year of our Lord one thousand and eight hundred and ninety-one, and in the fifty-fifth year of our reign.

"By command of the Lieutenant-Governor in Council.

"Signed) J. M. Gibson, (Signed) Arthur S. Hardy,
"Secretary. Commissioner of Crown Lands."

"The Chain Reserve referred to in these several documents consists of a strip of land one chain in width, which was, with some exceptions, reserved in all the patents issued by the Crown for lands fronting on the Niagara River, and was doubtless intended originally for a convenient roadway or portage to the broken water travel from Lake Ontario to Lake Erie, and also to form a suitable and direct means of communication between the various Military Reserves along the river, including Fort Erie, Chippawa, Queenston and Niagara. In fact, such a roadway exists along the water's edge in front of Bertie and Willoughby Townships, or from Fort Erie down to Chippawa.

"In Stamford Township the reserve was made along the edge of the river down to the brink of the Falls, and below the Falls is described as extending from the edge of the cliff or upper bank of the river, leaving a talus or slope of considerable width between the chain reserved in the patents and the edge of the water.

"Along the Chain Reserve proper a roadway has been constructed for a considerable distance, chiefly in front of the Town of Niagara Falls; but with the exception of this reach, and of some short pieces within the limits of the Queen Victoria Niagara Falls Park grounds, there is now no roadway in existence. Early in the century a roadway was made upon the river bank from the old Chippawa Military Reserve

northwards for some distance, but it was abandoned many years ago, and the fee simple of the Chain Reserve over this portion disposed of to private parties.

“In Niagara Township and in the Gore of Stamford the reserve is described in the original patents as ‘A chain in width from the water’s edge’ or ‘from the river.’ Owing to the height and sloping character of the river bank, this reach is practically useless for the purposes of a roadway.

“In the accompanying maps I have indicated by green coloring all the property which has been vested in the Park Commissioners; and by a reference thereto and also to the enlarged plans of those portions to which I desire to make more particular reference, a good general conception may be had of the character and extent of the territory in question.

“Beginning at the southerly limit of township lot 2 in the front concession of Bertie, the patents reserve an unbroken strip one chain wide throughout the whole of the township, upon which, as before stated, there is a travelled roadway.

“In front of the Village of Fort Erie there has been an accretion to the Chain Reserve of considerable extent, doubtless owing, in a measure, to the railway companies filling in the fore shore for depot purposes. This accretion has evidently caused a good deal of confusion, as both the Dominion and Provincial authorities have exercised jurisdiction and granted titles to portions thereof since the Confederation of the Provinces in 1867.

“On reference to plan ‘A’ it will be seen that a large part of this made ground has been disposed of by the Dominion Government to various parties, vide reference numbers 3, 4, 5 and 9, and a lease made the 29th May, 1885, for twenty-one years for parcel numbered 6 to the village of Fort Erie, while the Crown has, at various times, disposed of parcels 1, 2, 7, 8 and 10. It will be observed that parcel 8, patented by the Crown in 1865, was included in a sale by the Dominion Government as Ordnance property in 1888. The Erie and Niagara Railway Company, patentees under the Dominion Government, afterwards (23rd May, 1888) secured title to parcel 8 from the patentees under the Crown.

“The right of the Dominion Government to deal with this property may well be questioned, especially since the decision of Chancellor Boyd in the case of the Park Commissioners vs. Howard.

“It is greatly to be regretted that in granting titles to these properties the Dominion Government did not reserve therefrom the extensions of the village streets, so as to afford to the public free and untrammelled access to the water-way at these points. Should it be deemed necessary to grant new titles under proper authority, instead of the existing ones, I would respectfully suggest that such reservation be made therein.

“A short distance down stream from the village of Fort Erie, where the International Bridge crosses the river, there are three properties which have been disposed of by the Crown Lands Department. These are shown on plan ‘B,’ and do not call for extended comment.

The west abutment of the International Bridge was built upon the original Chain Reserve, and some filling in done on the river side to pass around it. When the patent for water lot was afterwards issued, it does not appear that the railway company was required to fully compensate for the encroachment by grading out a chain in width in front of the abutments.

"A water frontage was disposed of in 1861 in front of parts of township lots 8 and 9 of Bertie, comprising 1 9-10 acres, which is not shown on the plan. An old wharf exists at the spot, which is memorable as being the principal landing place of the Fenian invasion of 1866.

"There are two natural-gas pipe lines which have been granted a license of occupation upon the Chain Reserve—one being the Provincial Natural Gas and Fuel Company, dated August 31st, 1891, and the other, on the same date to William E. Carroll and Samuel Carroll. These licenses are during the pleasure of the Crown, and each one authorizes the laying of gas pipes in a strip of land five feet in width upon or over the Chain Reserve in front of lots 5, 6, 7, 8, 9 in first concession of the township of Bertie.

"The above described properties apparently embrace all of the Chain Reserve or of the water frontage thereof within the township of Bertie that has been dealt with or disposed of by the Crown or by the Dominion Government.

"About a mile and a half up stream from the southerly extremity of the lands now appertaining to the Commissioners and within the corporate limits of the village of Fort Erie, stands the ruins of the old fort, which played such an important part in the war of 1812.

"About twelve years previous to the American revolution, or over 130 years ago, General Bradstreet built a substantial block house and barracks on the lake shore, near to the site of the present ruins, for the protection of the traffic for the upper lakes, as it was the place where the King's and merchant vessels assembled to take in and discharge their lading. These buildings appear to have remained intact until the spring of 1779, when a severe storm on the lake undermined the foundations to such an extent as to imperil their safety. After many attempts at repair and successive damage by storms, these works were abandoned. The Imperial authorities in 1804 gave instructions for the commencement of masonry works in a more secure situation, and these were completed and occupied before the breaking out of hostilities in 1812.

"On 27th May, 1813, the fort was dismantled and abandoned by the British forces and taken possession of by a detachment of United States troops under Colonel Preston and held until the 9th of June of the same year. On 3rd July, 1814, it was again surrendered to the American forces, who held it until November 5th, when it was finally blown up and evacuated.

"Since that time the works have been given over to spoliation. Large quantities of stone have been taken away by all and sundry, and many of the foundation walls of buildings in the vicinity are built of these stones. Year by year the ruins are being searched for relics of the battles fought for its possession, and excavations have been made

in many places for a treasure traditionally supposed to be buried at some point within the enclosure.

“Some years ago the village authorities secured a lease of the grounds from the Militia Department, but nothing whatever has been done to enclose them or to put a stop to the operations of the despoiler.

“Originally the reserve contained about 1,000 acres, but all of this has been disposed of with the exception of seventeen and a half acres contained in a sector-shaped parcel about the site of the fort.

“It is not right that one of the defences of our country in time of danger should be so utterly neglected when a comparatively small outlay from year to year would effect its preservation, and I take the liberty of suggesting that application be made to the Dominion Government for the vesting of this interesting piece of property in the Commissioners.

“In the township of Willoughby, adjoining Bertie on the north, the Chain Reserve does not extend all the way, but is broken at several places, as shown by uncolored spaces on the plan. At these breaks there is no Chain Reserve, patents from the Crown conveying in some cases the land down to the edge of the water.

“There is a roadway in existence along the water’s edge, even where the land is so deeded, but it cannot be considered as part of the lands vested in the Commissioners. There does not appear to be any transactions on record alienating or otherwise affecting any portions of the lands which were originally reserved in the township of Willoughby.

“Throughout almost the whole course of the river in Bertie and Willoughby townships there has been a serious erosion of the shore, chiefly caused by high water during storms scouring away the clay banks of the river. This erosion has been going on from year to year, and at the present time the fences on the westerly side of the roadway are within a few feet of the water’s edge—in fact, so close in many places that two vehicles can barely pass each other, and for long reaches the fences have been moved back from time to time on to the lands of the adjoining proprietor, so as to have a margin of ground along the shore that travel might be carried on.

“Many of the farmers complain that they have been obliged to move their fences back frequently to leave a roadway at all, and an examination of the ground clearly shows this to be the case, evidences of the fence lines at successive periods being quite visible at certain points which are now encroached on by the roadway. Some of these land owners claim that the recession of the river has been fully four rods, or one chain, during their occupation of their farm, and they feel sorely on the subject. Attempts have been made to stay the erosive action by building low retaining walls of stone along the water’s edge. Planting trees has also been tried, and in each case with a certain amount of success; but it is claimed that it is the duty of the Government to afford relief, as it is the Government property which is principally concerned. Some proprietors state that they will not continue the moving-back process, but call upon the owners of the roadway to protect themselves.

"Certainly something should be done, and that on a comprehensive scale, to confine the river to its present limits. A large sum would not be required in order to test the expediency of any measure of protection proposed. In one or two instances the proprietors have tried to obtain compensation for the land lost in front by exacting an equal amount at the rear of their properties ; but it is needless to say that such a course did not meet with the approval of their neighbors whose land was thus sought to be appropriated.

"I would respectfully suggest that it may be worthy of consideration whether or not it would be advisable to acquire by purchase or otherwise those portions of the Chain in width along the margin of the river which were not reserved in the original patents from the Crown, and thus secure for all time the ownership of the whole of the frontage on the river between Fort Erie and the mouth of the Chippawa.

"On a reference to the plan accompanying this report, it will be seen that the outline of the river, and consequently the Chain Reserve, appears to cover land not specifically mentioned in the patent to the Commissioners of the Reserve in Willoughby township. The original map of this township does not show correctly the lands near the mouth of the Chippawa Creek or Welland River, and some confusion has resulted in consequence. The discrepancy may be more clearly seen in reference to plan 'C,' where the lot lines as indicated in the original township map are shown in contra-distinction to the existing shore line of the river, which, indeed, appears to be very considerably outside of the limits covered by the original map, and as it is wholly improbable that an accretion to the land has taken place at this point since the original surveys, it would seem to be a clear case of gross inaccuracy in the official map.

"The original patents granted for the lands in question described by metes and bounds the outline of the property as now existing, and they contain a clause reserving one chain along the whole of the river frontage to the mouth of the Chippawa.

"From an inspection of the map accompanying this report it will be observed that there is no reserve shown along the bank of Niagara north of Chippawa Creek (or Welland River) for a considerable distance, in fact until the Queen Victoria Niagara Falls Park is reached. In the original patents there was a chain reserve along this portion, but in 1816 it was granted in fee simple to one Colonel Thomas Clark, and the roadway then upon it was diverted some distance inland, and carried in a straight line from the old Bridgewater Mills to the Village of Chippawa.

"The construction of the line of electric railway between the park and Chippawa necessitated the acquiring of a right of way for the road-bed, and a strip of land twenty-eight feet wide was secured by the railway company for this purpose ; and as the railway is located parallel with the shore, and not far from it, an excellent view of the river is afforded to its patrons. As the proprietors of the lands adjoining contemplate the opening of a driveway alongside of the railway, doubtless this may be considered a sufficient approximation to the public ownership of a reserve, and at the same time harmonize with the desire for an open thoroughfare.

“The park proper embraces the shore line for some two and a half miles, and of course covers the Chain Reserve over this distance, although a considerable portion of it has been alienated by the sale to Colonel Clark before alluded to. The whole extent of the park proper, including the chain along the margin of the river and that portion of the talus which lies south of the Unifon House is 154 acres. These lands were vested in the Commissioners as trustees for the Province by Act of the Legislature of Ontario, 50 Victoria, chapter 13.

“Several important franchises have been granted since the establishment of the park by the Commissioners, all of them having to do with the original Chain Reserve, at one point or another within the park limits. It will not be necessary in this report to enlarge upon the rights created under the agreements covering these franchises, as they are all familiar to the Commissioners and are well understood. They may, however, be enumerated, and in order of precedence are as follows, viz. :

“A. The perpetual right granted Sutherland Macklem, under his deed, of pumping water for household and general use at Clark Hill, together with the intakes, flumes, drainage, machinery and lands required and at present used for that purpose. This right is without compensation.

“B. A lease to the Town of Niagara Falls for ten years from 1st September, 1889 (renewable for a second period of ten years under certain conditions), of the right to take water from the river for town purposes, with certain defined stipulations as to buildings, flumes, tunnels, etc. The consideration is a pepper corn rental of five cents a year.

“C. The railway franchise executed on December 4th, 1891, and approved of by Act of the Legislature of Ontario, April 14th, 1892. This franchise covers the right to construct a first-class electric railway with single or double tracks, as may be agreed upon by the Commissioners and the Company, in and through the park proper, from its southern to its northern boundary, and on over the Chain Reserve or other lands of the Commissioners to Queenston, together with the right to all necessary erections, tunnels, etc., etc., for motive power, machinery and appliances.

“The compensation to be paid for the franchise, which covers the extension of the line to Queenston, is ten thousand dollars per annum, and the agreement is for a period of forty years from September 1st, 1892, with certain rights of renewal for a further period of twenty years. Attached to this agreement is a provision for the construction of a line of railway along the water's edge in the gorge below the Falls, from the Park to Queenston, if agreed upon between the Commissioners and the railway company within five years from the date of agreement. The additional rental to be paid for this privilege is seven thousand five hundred dollars per annum, and the period to run concurrently with the high level line.

“A single track railway with crossings has been built through the park and to Chippawa and Queenston, upon the Chain Reserve. This was opened for traffic on the 24th of May, 1893. The Commissioners have not called upon the railway company to construct the low level

line under the terms of the agreement.

"D. The franchise granted the Canadian Niagara Power Company under agreement dated 7th April, 1892, and approved by Act of the Legislature, 14th April, 1892.

"This is a license to take water from the Niagara River to supply works for the generating of electricity or pneumatic power on a large scale, and provides for all necessary buildings and appliances for that purpose. The license is for twenty years from 1st May, 1892, renewable for four additional periods of twenty years at the option of the company. The company may also terminate the lease at any time during the first period of twenty years on giving three months' notice.

"The rental payable under the agreement is \$25,000 per annum, for the first ten years, computing from 1st November, 1892, and increasing by an additional sum of \$1,000 per annum for the second period of ten years, and \$35,000 per annum thereafter, work to be commenced on or before the 1st May, 1897. Nothing has been done by the company up to date.

"E. Zybach & Co.'s lease of the elevator and 'Under the Falls' business, together with certain restaurant privileges. This agreement bears date 6th June, 1893, and is for a term of ten years, at a rental of \$8,200 per annum, renewable for another period of ten years at an amount to be agreed upon or fixed by arbitration.

"In addition to these franchises the 'Maid of the Mist' Steamboat Company holds a portion of the shore and talus at the ferry landing, and within the original park limits, under tenure from the Town of Niagara Falls, which in turn holds by virtue of a Dominion License of Occupation, and, it is claimed, under a provincial license as well. This case appears to be a somewhat intricate one, and presents difficulties which I am unable to determine with any degree of assurance. The facts appear to be as follow :

"On the 27th May, 1862, the Commissioner of Crown lands for the Province of Upper Canada issued a license of occupation to the municipal council of the Town of Niagara Falls of the Chain Reserve and the strip of land lying between the reserve and the water's edge of the river in front of the town, reserving therefrom the macadamized road of the toll road company and certain privileges previously granted near the Table Rock. Under this license of occupation the town authorities sub-let on June 14th, 1884, to Messrs. Carter and LeBlond, the owners of the little steamer 'Maid of the Mist,' a strip of land lying between the eastern edge of the macadamized road and the water's edge, and extending southerly along the bank a distance of sixteen hundred feet from the upper Suspension Bridge.

"On March 27th, 1885, the town authorities, evidently concluding that the property held under this license was not the property of the Province but was Ordnance lands, took a lease from the Dominion Government, and on the 27th April, 1887, executed a new sub-lease to Carter and LeBlond, confirming the one of June 24th, 1884, but restricting the land leased to about one acre only, at the ferry landing, as shown on Plan D herewith.

“On the 4th November, 1890, the Dominion surrendered whatever rights it had or claimed to these lands, with others, to the Park Commissioners, and as its lease to the town (27th March, 1885) was during pleasure only, presumably the Commissioners have, under the surrender, full powers to deal with the case. The license of 1862, from the Commissioner of Crown lands, does not appear to have been formally cancelled, but the town by its action practically renounced the authority of the Province in the premises ; and therefore it cannot well be revived in their favor. In either case the Park Commissioners would appear to have full powers, and it might be well, in order to remove all misapprehension, to consider the granting of a new lease under such terms as may be deemed just and reasonable in the circumstances.

“North of the park proper the Chain Reserve follows in general the line of the high rocky wall forming the bank of the river. For over two miles the Chain Reserve lies within the limits of the Town of Niagara Falls, and forms the frontage thereof. Between the reserve and river there is a talus sloping down to the water's edge, averaging some two hundred feet in width, forming part of the Reserve. North of the Park the line of the electric railway is located upon the Chain Reserve, as near to the edge of the bank or easterly side of the reserve as could be ; due regard being had to safety and to the alignment of the railway. Under the agreement with the railway company right of way for a double track is provided, and in order to furnish room for an additional line of rails, and at the same time have abundance of space for vehicular and pedestrian travel over the roadway on the reserve, it becomes necessary to examine carefully into the question of encroachments.

“There has been a general tendency manifested by property owners in the town, whose limits extend to the reserve, to ‘crowd’ over the fences on the west side, and in the case of the ‘Clifton House’ the encroachment is very apparent. In fact this is one of the most objectionable of the many cases which come up for consideration, as it is in the line of the greatest travel, viz., between the upper Suspension Bridge and the Park. Not only does the large promenade verandah, which runs along the east side of the hotel, extend out on to the Reserve at the north end, but nearly fourteen feet of the building itself is at one point projected out beyond the correct line. This encroachment seriously narrows in the driveway at this point, and steps should be taken without delay to afford at least some measure of relief to the carriage travel. The shed for omnibuses also encroaches very considerably.

“The case of the Upper Suspension Bridge requires explanation. On the 28th January, 1873, Letters' Patent were issued by the Dominion Government to the Clifton Suspension Bridge Company, for a piece of land two hundred feet in length along the Reserve, and including a portion of the Reserve and the talus down to the river. The lands of the Reserve were required for the straining piers of the bridge, and over thirty-five feet of the sixty-six were patented. The patent describes the lands conveyed by metes and bounds, and these are well defined. The existing bridge structure over-reaches beyond the limits patented, the two corner posts of each of the steel towers and the stone wall enclosing them being about ten feet outside of the proper line. There is

therefore very little of the 'Chain' left at this point.

"The sum of forty dollars was paid as purchase money for the lands thus patented.

"Should it be decided that title to this property must issue from the Commissioners, I would respectfully suggest that right of way for the projected Low Level Railway be reserved therein. Compensation in kind for the lands of the Chain Reserve taken in excess of what is patented might be required from the Bridge Company on the west side of the Reserve. I may say that the holding down guys of this suspension bridge are fastened to the rocks below far outside of the lands patented, and in some instances fully 250 feet therefrom.

"Beyond this suspension bridge there are several property encroachments on the west, and one building, the bazaar of Mr. Edward Davis, is erected partly on the Reserve.

"For a considerable distance below Davis' the property is not improved, and the fences not in place, but much of the frontage is under offer for sale, and doubtless will soon pass into many hands for building purposes. It will therefore be desirable to have the limits of the Reserve properly defined in case of new structures or boundary fences being put up, as the land along the Reserve is becoming valuable, and in all probability the same process of 'crowding' will be attempted by contiguous owners.

"From Simcoe-street northwards to Park-street there is a continuous encroachment varying from a few feet to over twenty. Throughout the whole of this distance the rights of the property owners, as defined in the original plans of the town, appear to conform generally to the line of the Chain Reserve, as laid down in the map 'E' herewith attached, and presumably their deeds tally with the original and official plans.

"I would suggest therefore that this matter be made the subject of careful investigation, and the precise standing of the Commissioners, as regards the lands thus indicated be ascertained.

"The Cantilever bridge, officially known as the Niagara Peninsula Bridge Company, secured from the Government of Canada a license of occupation for the whole width of the Chain Reserve at the site of their bridge and down to the water's edge. The license of occupation bears date the 13th April, 1883, and required the payment of fifty dollars a year. The description given of the lands so leased is very faulty. The quantity of land is described as three hundred and seventy-five thousand and two hundred and seventy-two square feet, or equivalent to 8 60-100 acres; while the metes and bounds enclose only some 87-100 of an acre and the land as described in the patent does not embrace all the ground on which one of the main piers of the bridge is constructed. I have shown on the plan herewith the land doubtless intended to be conveyed under the agreement, and as shown on a map purporting to cover these lands, made by D. W. Gossage, D. L. S., in 1889. The area of the lands shown would be about $1\frac{1}{8}$ acres. I understand that application has been made to the Commissioners for a confirmatory title to these lands, by this Bridge Company, and I would therefore draw attention to the desirability of reserving therein the right of way needed for the

Low Level Railway.

“There does not appear to be any title on file covering the occupancy of the Railway Suspension Bridge, whose towers and offices occupy nearly the whole width of the Chain Reserve at the site of their bridge; and the only reference bearing on the question of title which appears to have been discovered thus far is an entry in a book dated November, 1856, purporting to give a list of Ordnance reserves transferred to Old Canada, and which is in custody of the Crown Lands Department at Toronto. It reads:—

‘ Suspension Bridge Company.’

“No lease executed, 3 ac. 8 per. were authorized B. O. 28, August, 1850, to be leased to the company at £1 currency per annum. Plan and description for the lease were forwarded to the President of Company 24th July, 1851, but never returned.

The quantity of land referred to above, viz., 3 ac. 8 per would comprise a long reach of both the Chain Reserve and the talus between the Reserve and the water's edge, not less than 500 feet, and although the holding down guys securing the structure against undue vibration reach out to and beyond this distance, yet it would certainly be inadvisable to embrace such a large territory in any documentary title which the Commissioners may consider it advisable to grant.

“The £1 per year rental alluded to has not been paid.

“This bridge was first opened for ordinary traffic in August, 1848, and was replaced by the permanent structure and opened for railway and general traffic on March 25th, 1855, the steel towers and truss being substituted for stone and wood respectively some ten years since.

“A short distance below the Railway Suspension Bridge there is a brick building standing upon the edge of the bank. This was erected about 1880, by G. H. Howard and others for a flouring mill, and in connection therewith a water wheel and appliances for generating power and conducting it to the top of the bank were erected on the lands below the cliff, and at the water's edge.

“The works below were carried away by high water shortly after they were put in, but the building on the top remains, although it has not been used for many years. It is now occupied temporarily by the Electric Railway Company as a store house for materials. No title was ever had for the lands thus occupied, and the building should be removed.

“Immediately below this brick building the Grand Trunk Railway Company have had for some years a steam pumping station, the machinery of which is contained in a wood building situate at the water's edge, a rough coal box chute leading thereto from the top of the cliff above. The Grand Trunk Railway has no title to the land thus occupied. This pumping station is at present unused, as the railway receives its water supply through the town mains, and the Commissioners might consider the advisability of ordering its speedy removal.

“A short distance below this the Whirlpool Rapids' incline is situated, with buildings for offices and a fancy goods store, and a drive

shed on top. There is also a long promenade platform skirting the edge of the mighty rapids below, with frame buildings at either end. This property, with its appurtenances, is covered by the Electric Railway Company's agreement, and is now under their possession and management.

"The distance from the park proper at the Clifton House to the northerly limits of the town of Niagara Falls is some two and one-fifth miles. Over the whole of this distance there is a roadway built upon the Chain Reserve, much used for driving purposes by tourists and others; and as it is an important avenue leading to the Park and at the same time the principal thoroughfare for pleasure travel in the town, this roadway should be maintained in first-class condition and made an attractive feature of the locality, as it commands a magnificent view of the river gorge and of the Falls. It is now in wretched order and quite unfit for driving purposes.

"To put this road in proper condition will entail a considerable outlay, as it requires to be macadamized the entire distance. Its subsequent maintenance, after being once properly repaired, will then be a comparatively inexpensive matter, as the travel is chiefly of a light character.

"For many years a portion of this roadway was in the hands of a toll road company, and tolls were exacted from all vehicles passing over it. In the year 1888 the rights of the proprietors in this toll road were purchased by the Commissioners; and the tolls charged for use of the road, upon a petition of the residents of the town made to the Commissioners, were by them abolished and the road made free to all. As the residents of the town were chiefly benefited by the removal of the tolls, it would appear to be but right that the town should bear some portion of the costs of repair and maintenance of the road, more especially as it is the only direct means of access from the business portion of the town to the Park.

"Until the revenues at the command of the Commissioners are sufficiently large to provide for the requirements of the Park proper and have something over for extensions of the work, it might be well to secure the co-operation of the town in caring for this roadway.

"At various points along the Reserve in front of the town the owners of land on the west side have put drains across the roadway in order to provide sewerage for their properties; and at several places where there are streets abutting on the Reserve the town has put in large tile pipe sewers to the edge of the cliff, where they empty their contents over the bank, the liquid matter to seek the river by running down the steep talus, and the solid to lodge on stones and trees and create offensive odors, which are wafted up to the roadway above by every east wind that blows.

"Muddy Run Creek, which acts as an open sewer for part of the town, spills over the brink at the Whirlpool Rapids, and is very offensive at all times, but particularly in hot weather, to the many thousands who go down to the water's edge to view the Rapids.

"If the town authorities are to be allowed to drain into the river the outlets should be confined to two, or perhaps three, main sewers,

and these should be led unbroken down to the waters of the river below.

"Beyond the limits of the town the reserved land follows the edge of the rocky precipice on broken front lot number 74 to Colt's Point, which is at the beginning of the Whirlpool. Around the southerly side of the Whirlpool the Chain Reserve takes the high ground as far as the concession line, where it comes to an abrupt termination, the patents to the lands in the second concession not reserving any ground along the bank of the great Whirlpool ravine.

"The Dominion Government, through its agent, Dr. Douglas of Fort Erie, made a sale of the talus in front of the Chain Reserve over this (B.F.) lot 74, to one Samuel Colt, in December, 1868, receiving therefor the sum of two hundred and fifty dollars. Colt improved the premises and collected tolls from persons using his improvements and going upon the premises to see the Whirlpool. In August, 1887, Colt was served with a notice to surrender possession of the Chain Reserve which he occupied, and of the talus where his improvements chiefly lay, by the Park Commissioners, who disputed the title under which Colt claimed. A long litigation followed, and the judgment rendered by the Hon. Justice Rose was entirely in favor of the Commissioners' claims to the property, a reference being required to determine the value of the improvements made by Colt. The railway company having in the meantime, under their agreement, secured the right to acquire and operate the works referred to, have now pending the question of payment for improvements made, and the extinguishing of all Colt's interest in the premises.

"To provide lands for a favorable location of the electric railway, the Commissioners purchased a strip along the high ground on both sides of the Whirlpool ravine and across the same in the second concession of Stamford. The lands thus secured form a connecting link between the lands of the Chain Reserve south and north of the Whirlpool. The broken lands between lots 58 and 74, in first concession, were never alienated from the Crown until they were vested in the Commissioners.

"The lands under the high bank and between the Chain Reserve proper and the river, in front of lots 58 and 41, were sold by the agent of the Dominion Government in December, 1868, to one John Thompson, the owner of the lots above mentioned. Before title was passed, however, it was ascertained that the fee to these lands did not lie in the Dominion Government, and that therefore the sale was irregular. Mr. Thompson, on learning that title could not be had from the Dominion Government, applied to the Provincial Government for a patent, but without success. The heirs have registered the receipts given for the money paid, some \$250, and claim that the purchase money agreed upon was paid over by the Dominion to the Provincial authorities, and they are therefore entitled to the lands in question.

"The case is in some respects similar to that of Colt, before mentioned which was decided by Hon. Justice Rose in favor of the Commissioners, and presumably the Commissioners have title in and to these lands, which embrace a part of Foster's Flats.

"The lands below the bank in front of lots 40 and 21 were sold be-

fore Confederation to one John Lawrence, and have passed to Charles Murray. There is said to be about fifty-three acres in this piece, and as it is the only break in the ownership of the talus from the Suspension Bridge to Queenston Heights, with the exception of a small piece in front of Sir David Macpherson's land, it should be acquired; and I understand measures are being taken to bring it under the control of the Commissioners. An extra piece of land has been secured at 'Wintergreen Flats,' immediately opposite 'Foster's Flats,' but on the top of the bank. This land was considered a desirable purchase, as from it magnificent views of the river and rapids are obtained, and it was considered inadvisable to allow it to fall into an ownership which might be inimical to the plans of the Commissioners.

"The Chain Reserve on the top of the bank ended at lot 1, Stamford, but was continued along the water's edge in front of the gore and throughout the township of Niagara. This left a large part of the talus and all the lands above the bank in private ownership; and it became necessary, in order to provide right of way for the electric railway, to secure land on the top of the bank. The whole of the slope, and a strip along the top of the bank was acquired, extending down to the Military Reserve at Queenston Heights, excepting only the small part of the slope above referred to and fronting on Sir D. Macpherson's lands. This property is shown on plan 'G,' attached hereto. Right-of-way for the railway across the Macpherson land was secured some distance back from the edge of the bank so as to admit of a practicable grade leading down to the Heights.

"The Military Reserve at Queenston formerly extended along the water front a distance of 3,000 feet, and included all the lands about the escarpment and down to the old military landing place, near which there was a considerable space of nearly level ground. For some reason part of the lands on the level near the river, and even embracing some of the water frontage, was disposed of by the Government of Canada some years ago; all the remainder, including the heights, sloping ground and roadways, etc., is still the property of Canada."

"On the summit of Queenston Heights stands the magnificent monument erected in memory of General Brock. The monument and the grounds surrounding it are cared for by the Government of Ontario, and any expenditure for repairs, etc., are provided for by the Legislature. There does not appear to be any valid reason why the whole of the Military Reserve lands at this point, including the monument and grounds, should not be put in charge of the Park Commissioners. Queenston Heights forms one end of the long panorama of natural wonders of which the park is the other, and the Commissioners control the whole of the intervening ground along the river bank. Then why not make their task complete by having control given them of the northern end? The grounds around the monument are in need of better attention than they now receive; and the balance of the Reserve is but wild lands, receiving no attention whatever."

"There is at present a charge of twenty-five cents made for ascending the monument. This charge must yield a considerable revenue, which would doubtless go a long way towards keeping up the premises; but even though a certain small sum was annually needed to carry out



Brock's Monument, Queenston Heights, Queen Victoria Park.

improvements, doubtless the Government would be willing to assist in order to have this historic ground, so near to the hearts of all true Canadians, maintained in a creditable manner."

"Immediately below or north of the boundary of the Military Reserve, a water lot has been patented by the Dominion Government to the Niagara Navigation Company (Limited). It extends 846 feet along the river adjoining the Chain Reserve, and extends 100 feet out into the water. The document bears date 17th April, 1882, the consideration being \$200."

"There are some fishing privileges leased at and below Queenston, which I presume is not a matter of interest to the Commissioners. The leases are from year to year, and are issued by Mr. Kerr, Dominion Inspector, of Hamilton, Ontario, and the total revenue for this year was some \$50."

"Above and below the Military Reserve and throughout the Township of Niagara, the chain reserved in the patents from the Crown is along the shore line of the river, and not upon the top of the high bank. As the general level of the lands from Queenston to Niagara is from forty to eighty feet above the water surface, and the slopes are more or less steep, it follows that the reserved lands are not at all suited for a roadway, nor are they ever likely to be used for railway purposes, as level lands above can be obtained and a line of railway constructed at small cost."

"There is not much to note respecting the Reserve below Queenston. A license of occupation during the pleasure of the Crown was issued in February, 1867, by Andrew Russell, Assistant Commissioner of Crown Lands, to George Durand, covering the right to occupy one and three-fourth acres of the Chain Reservation in front of part lot fifteen of Niagara. The Crown Lands Department also issued a license in March, 1864, for twenty-one years, at \$9 per year, of a small water lot in front of part of lot fourteen, Niagara, for the purpose of a wharf. There is no wharf in existence, and the license does not appear to have been extended. Other than this I can find nothing of note, excepting a rather curious and interesting license issued in March, 1866, by the Commissioner of Crown Lands, to the Erie and Niagara Mining Company. The lease was for twenty-five years, and gave the right to explore the bed of the river from Queenston to Niagara, and out to the boundary line of the Province, for ores, metals, minerals or mineral substances, reserving a royalty of two and one-half per cent. upon the value of all such products. The document also stipulated that if the company found it necessary to use any part of the Chain Reserve between Queenston and Niagara for their operations, the Commissioner of Crown Lands would give a license of occupation to the company for such portion thereof as might be in his opinion necessary, and upon such terms as might be agreed upon. The document is signed by William A. Thompson, the President of the Company."

The extent of the territory which has been placed under the jurisdiction of the Commissioners is shown by the following tables, viz :

Frontage on the Niagara River of the several properties :

Locality	Total Frontage	Frontage vested in the Commissioners
Township of Bertie	5.75 miles	5.75 miles
Township of Willoughby	10.10 "	7.50 "
Township of Stamford	9.10 "	7.40 "
Township of Niagara	8.00 "	6.25 "
Totals	32.95 miles	26.90 miles

Approximate quantity of land vested in the Commissioners :

	Acres	Acres
Chain Reserve in front of—		
Township of Bertie	46	
Township of Willoughby	60	
Township of Stamford and north of Queen Victoria Niagara Falls Park...	44	
Township of Niagara	50	
	—	200
The Queen Victoria Niagara Falls Park..		154
Lands below the high bank or talus :		
In Stamford and Niagara Townships	220	
Less Murray's rights on Foster's Flats not yet re-conveyed	53	
	—	167
Additional lands secured for Electric Rail- way and other purposes		56
Total now vested in the Commissioners... ..		577

"The quantity in Willoughby Township which was not reserved in patents is about twenty-five acres."

"Of all this very valuable property only the small portion embraced within the limits of the park proper, or say ten per cent. of the frontage owned is now maintained in good order and condition. A comparatively small additional expenditure would permit of many simple works of reclamation or improvement being done at points along the river which would enhance very materially the enjoyments of the many visitors who now view the property year by year. Especially should the existing foliage along the high bank from the park to Queenston be kept trimmed and neat and suitable planting of trees or shrubs might be done with advantage at points where there is sufficient depth of soil to permit it."

"Without doubt the whole extent of the property will become more and more valuable year by year, especially if a reasonable amount of attention can be given to its protection and development. I would, therefore respectfully urge the early consideration of this important question upon the attention of the Commissioners."

"The whole respectfully submitted,

JAMES WILSON,
Superintendent."

Niagara Falls, July 28th, 1893.

Since the date of the foregoing report some further additions have been made to the lands under the jurisdiction of the Commissioners, notably the portion of Foster's Flats acquired under arbitration proceedings from Charles Murray and embracing some fifty-five acres. This purchase completed the title of the Commissioners to the land below the bank along the whole reach of the river between the Falls and the Military Reserve at Queenston, with the exception of the upper portion of a small piece immediately adjoining the Reserve, and another piece at the head of the Whirlpool, west of the concession line.

In the case of the two suspension bridges referred to in the Superintendent's report, agreements have since been made by which additional lands have been secured to widen the highway at these congested points and arrangements have also been made by which a right of way for the projected Low Level Railway across the lands under these bridges is provided for. The lease of the Cantilever Bridge Company has not yet been dealt with.

Some small pieces of land required to widen the highway at narrow points in front of the town have also been obtained.

Under the conditions of the agreement made with the Electric Railway Company, authorizing the laying of a second line of rails on the Chain Reserve in front of the town, the even grading of the highway throughout was secured, and the surface made to correspond with the level of the tracks. The proper macadamizing of the road was also provided for, and with the exception of a small portion at the north end of the town, to be completed this spring, the whole of the roadway is now in excellent order. Arrangements have also been made for the future maintenance of this roadway at the joint expense of the Commissioners and the Town of Niagara Falls.

Public attention having from time to time been directed to the lands forming the Military Reserve at Queenston Heights, representations were made to the Government suggesting the desirability of having all these lands vested in the Park Commissioners to be maintained as a part of the Park system.

The lands in question comprise a large territory, extending along the face of the mountain westwards for about a mile from where the Niagara River in years past has cut its deep channel through the limestone rocks; the width of this reserve varying from about one hundred yards at its narrowest part to nearly one thousand yards at the water's edge. The area originally embraced 136 acres, but from time to time portions have been disposed of, so that at present there remain only some 100 acres in the Reserve proper, including Portage Road leading from the river to the southern limits of the Reserve.

Upon the summit of the heights, in a most commanding position, stands the noble shaft erected by the Province in 1856 to the memory of

Major-General Sir Isaac Brock, and at the base of the escarpment, immediately under this monumental column—but strange to say, on lands which do not seem to be vested in the Crown—is the cenotaph placed by the Prince of Wales in 1860 to mark the spot where Brock fell. For many years the monument and twelve acres of land adjacent have been under the jurisdiction of the Provincial Government, and all repairs to the shaft or its foundation required from time to time have been made at the expense of the Province. The grounds, however, were not maintained in a manner worthy of the monument, or of the hero whom it commemorates. The remaining lands, which are still in the hands of the Dominion Government, have been entirely neglected, and for a number of years have presented a very discreditable appearance, not at all in harmony with an enlightened spirit of patriotism.

At the request of the Government the Park Superintendent was directed to examine into and report on the desirability of vesting the twelve acres immediately surrounding the monument, heretofore under the jurisdiction of the Government of Ontario, in the Commissioners; and also on the probable cost of improving and maintaining this part of the property. The Superintendent's report, dated the 12th of September, 1894, is as follows:

“J. W. Langmuir, Esq., Chairman Queen Victoria Niagara Falls Park.

“Dear Sir,—In accordance with your instructions, I have made an examination of the grounds at Queenston Heights, on which stands the magnificent mausoleum of Major-General Sir Isaac Brock, the hero of the battle of Queenston Heights, and of his aide-de-camp, Lieutenant-Colonel Macdonell, and beg to make the following report thereon.

“The grounds which are under the control of the Province, by virtue of an Order in Council, approved by His Excellency the Governor-General of Canada, on the 20th day of December, 1875, embrace only some twelve acres of the Military Reserve at this point, chiefly lying on the table land immediately adjoining the escarpment of the Heights, and including a portion of the eastern slope, on which the fine entrance gate and lodge are erected.

“From the present entrance to the Monument grounds, which is near the eastern angle of the Heights, and on the highway from Niagara Falls down to the Village of Queenston, a broad avenue winds up to the summit of the mountain, where, upon grounds commanding a magnificent outlook over the highly cultivated fruit lands on both sides of the Niagara River, and of the broad expanse of Lake Ontario, stands the noble monument which marks the last resting place of the illustrious Brock.

“In 1824, twelve years after the famous battle, the Provincial Government erected a column on the Heights at a point some 500 feet to the east of the present structure. This consisted of a Tuscan column resting upon a rustic base, and supporting a pedestal designed to carry, at some future time, a statue of the hero, and measuring in all from the ground to top of pedestal some 130 feet; the remains of Brock and Macdonell were deposited in the vault beneath with most imposing military ceremonies on the 13th of October of that year.

"On Good Friday, 17th April, 1840, a vagabond named Lett secretly introduced a large quantity of gunpowder into the base of the Monument, and the explosion which followed damaged the shaft to such an extent that it could not be repaired. This act of vandalism aroused general indignation throughout the country, and in July of the same year an immense gathering of the leading citizens from all parts of the Province assembled on the Heights to adopt measures for the erection of another monument, and a committee was appointed, of which Sir Allan McNab was chairman, to promote the object.

"Among those present were many who had fought under Brock, and some who had been instrumental in winning the great victory on this spot in 1812, and the enthusiasm was unbounded. The influence of this meeting was felt throughout the country, subscription lists were opened by the militia and Indian warriors, designs were prepared, and the erection of the existing magnificent pile was begun in 1853. The ceremony of laying the foundation stone and of re-interring the remains took place on the 13th of October (the anniversary of the battle) of that year, and the column was completed in 1856.

"The laying out of the grounds around the monument, the massive entrance gates and ornamental lodge, and the completion of the monument enclosure, were provided for by a grant from Parliament. The monument rests upon a substantial foundation of masonry, forty feet square and ten feet below the level of the ground; upon this foundation there is a two-story vaulted basement, measuring thirty-eight feet square at the ground level, and attaining a height of twenty-seven feet. Upon the four corners of the entablature of this basement are the armorial bearings of Brock carved out of stone. The massive basement is surrounded by an enriched pedestal, the die of which is sixteen feet square, and the height, including the cornice and base, thirty-eight feet.

"On the pedestal stands the exquisitely proportioned mammoth column of the Composite order measuring ninety-five feet in total height with a fluted shaft ten feet in diameter, and enriched capital and base. Above the column, and resting on a cippas or statue base, is the colossal statue of General Brock in military costume, and the right arm extended with a baton in the hand, and the left hand resting upon his sword. The total height from ground level to the top of the statue is 190 feet.

"From the ground level a circular stone staircase winds up through the centre of the shaft to the top of the column, where from small openings in the cippas a view may be had of the surrounding landscape at a height of over 500 feet above the level of the river.

"Enclosing the monument is a dwarf wall, measuring seventy-five feet on each of its four sides, and with massive military trophies in stone at the corners; the whole is surrounded by a terraced embankment with a circular driveway, 100 feet in diameter, for the convenience of visitors in carriages.

"On the north side of the pedestal is the following inscription, cut

in relief :—

“Upper Canada”

Has dedicated this monument to the memory of the late
Major-General Sir Isaac Brock, K.B.,

Provincial Lieutenant-Governor and Commander of the
Forces in this Province, whose remains are deposited in
the vault beneath. Opposing the invading enemy he
fell in action near these heights on the 13th October, 1812

In the 43rd year of his age,
Revered and lamented by the
people whom he governed, and de-
plored by the Sovereign to whose
service his life had been devoted.

“Entrance is had to the interior of the monument by a door on the
east side, which opens on a gallery around the interior of the base, just
above the ground level. On the right hand jamb of the portal is the
following inscription on a brass plate :—

A Monument

Was originally erected on this spot by a grant from the
Parliament of this Province, and subsequently destroyed
in the year 1840. The present monument was erected
chiefly by the voluntary contributions of the Militia and
Indian warriors of this Province, aided by a grant from
the Legislature ; the authority for erecting the same be-
ing delegated to a committee consisting of the following
gentlemen :—

Sir Allan Napier McNab, Bart., Chairman.
Sir John Beverley Robinson, Bart.
Sir James Buchanan Macaulay, Knt.
The Honorable Mr. Justice McLean.
The Hon. Walter H. Dixon.
The Honorable William Hamilton Merritt, M.P.P.
Thomas Clark Street, Esq.
Colonel, The Honorable James Kirby.
Lieutenant-Colonel Daniel McDougall.
David Thorburn, Esq.
Lieutenant Garrett, late Forty-ninth Regiment.
Colonel Robert Hamilton.
Capt. H. Monroe, Secretary.
T. G. Ridout, Esq., Treasurer.
William Thomas, Architect.
John Worthington, Builder.

“On the inner side of the gallery, and on either side of the entrance,
are the vaults in which are placed the massive stone sarcophagi, con-
taining the remains of Brock and Macdonell. Brass tablets are let in-
to the wall, the one on the right having the following inscription :—

In a vault underneath are deposited the mortal remains of

the lamented Major-Gen. Sir Isaac Brock, K.B., who fell in action near these heights on 13th October, 1812, and was entombed on 16th October at the bastion of Fort George, Niagara ; removed from thence and re-interred under a monument to the eastward of this site on the 13th October, 1844, and in consequence of that monument having received irreparable damage by a lawless act on 17th April, 1840, it was found requisite to take down the former structure and erect this monument, the foundation stone being laid, and the remains re-interred with due solemnity on 13th October, 1853.

“The inscription on the tablet on the left is :—

In a vault beneath are deposited the mortal remains of Lieutenant-Colonel John Macdonell, P.A.D.C., and Aide-de-Camp to the lamented Major-General Sir Isaac Brock, K.B., who fell mortally wounded in the battle of Queenston on the 13th October, 1812, and died the following day. His remains were removed and re-interred with due solemnity on 13th October, 1853.

“About sixteen feet above the level of the principal gallery there is a second one approached by a narrow passageway from the central stairway. Both of these galleries receive light and ventilation from the exterior by means of small circular openings through the massive masonry of the basement.

“The circular stairway is ventilated by various slits in the volutes of the shaft. The stairway is of stone, circular in outline, the steps being thirty-five inches wide at the base, and twenty-five at the top. It terminates in the small cippas on top of the column, and immediately under the statue of Brock. The landing is exceedingly confined and the only means of obtaining a view of the surrounding territory is by thrusting the head into one of the small round openings, a feat which can only be performed by those whose stature has attained to at least normal proportions. The whole space is hardly sufficient for three people to stand in ; and it is with difficulty that two can pass on the stairway, so that while the outlook from the top, is, perhaps, one of the finest on the continent, yet the exertion of toiling up the 235 winding steps, and the impossibility of obtaining a view of more than a fraction of the magnificent panorama when there, usually provokes a feeling of sore disappointment on the part of the visitors. A fee of twenty-five cents is charged for the privilege of ascending the shaft.

“The grounds around the monument receive but little care, and for the most part are much in need of a thorough cleaning and overhauling. The dense growth of cedar along the escarpment completely shuts off the view from the Heights, excepting for a short space immediately in front of the monument, and even there the views are much too limited. A great deal of judicious trimming is needed throughout the grounds, and in places the wild growth of scrubby juniper should make way for ornamental and deciduous trees to vary the tone of the landscape and afford better shade for the numerous picnic parties who frequent the grounds in summer.

“The electric railway now carries great numbers of interested visit-

ors to the monument grounds, and it is most desirable that every facility, not inconsistent with the character of the place, may be afforded them. To accomplish these results I have to make the following recommendations :

“1. That a new roadway approach be made from the west for carriages approaching from the direction of the Falls, and a pathway provided for pedestrians from Brock's monument station of the electric railway.

“2. That a new fence, of neat and open construction, be placed along the highway instead of the present decayed high paling.

“3. Clean up the grounds, open up vistas of the river and surrounding country and plant out ornamental foliage and flowering trees.

“4. Provide a supply of good drinking water on the grounds and better facilities for picnic parties.

“5. Build an incline on the south side of the monument from the level of the ground to the top of the column, the frame work to be of light steel, electric power to be used for working the car, and a promenade made to rest upon the abacus of the column.

“6. Obtain title to the land on which is erected the stone cenotaph marking the spot where Brock fell, and embellish and maintain the same in good condition.

“7. Obtain title to the lands in rear of the monument ground on which earth works have been thrown up, and preserve them from further deterioration.

“A few remarks may be made upon each of these seven proposals.

“No. 1. With respect to the means of reaching the monument. The location of the entrance gates and lodge was evidently made on the supposition that visitors would always approach the ground from Queenston and the north, as Queenston was then the terminus of the lower lake navigation, and railways had not diverted the stream of travel from the water ways. For many years past, however, the great majority of visitors to the grounds drive down from Niagara Falls, and in consequence have to descend the hill a considerable distance before reaching the entrance, and then climb up again to the site of the monument. A new road of easy gradient should be opened up from the west, and thus avoid ascending or descending the hill, and at the same time save two crossings of the electric railway. The work involved would not be very extensive, and the convenience would be great. An entrance for pedestrians, with a gravelled path leading up to the summit of the heights from a point opposite to the electric railway platform, should also be made for the convenience of visitors from either direction coming by the electric railway.

“No. 2. The existing fence is old and unsightly and should be replaced. I would suggest an iron pipe railing with turned posts, or neatly turned posts and chain, as much more appropriate to the situation. The entrance gates to the new roadway, if any are deemed necessary, should be made in an inexpensive manner.

“With respect to the roadway leading to and the circle around the monument.

“These are of excellent construction, but are at present overgrown with grass and weeds. I would suggest that a width sufficient for driving purposes be cleaned and nicely gravelled so as to distinguish the road in a proper manner, and the remainder of the macadamized approach be turned into sod.

“No. 3. The grounds are overgrown with a wild tangle of evergreens, chiefly red cedars. Much of this should be cleaned away and a selection of suitable shrubs and ornamental trees set out. This work will require judicious handling, but will vastly improve the appearance of the place. The side slopes should also in some places be covered with sod to prevent scouring, and the turf generally requires care and attention. A reasonably large sum will require to be expended in putting the grounds into order and condition, and a small annual outlay for maintenance be provided.

“No. 4. There is a beautiful spring of water near the summit of the heights, about 375 yards west of the monument. This should be piped to some convenient place on the escarpment, and near to the centre of the grounds, and from thence forced by the aid of an electric pump to a suitable drinking fountain and trough. By placing a tank in the upper gallery of the monument an abundant supply for all purposes could be had at a very small cost for maintenance.

“No. 5. If a convenient means for reaching the top of the column without fatigue and of freely enjoying the sublimity of the emotions created by the delightful panorama could be provided, there is little question but that the revenue which would be obtained from visitors for the use of such appliances would amply provide for the outlay upon all works required to improve and maintain the property. Of course in a case of this kind it is of the utmost importance that nothing be done to detract from the dignity and strength of the monument itself or that would offend the sensibilities of those who were instrumental in promoting its erection; and any proposal suggested must have the qualification necessary to afford a reasonable excuse being given for its adoption.

“After considering the question in all its bearings, I have concluded to recommend the erection of an electric lift on the south side of the monument, the frame work to be of light steel lattice work, attached to and supported in part by the column, and extending from the ground level to the top of the capital, the car to be capable of carrying up four persons at a time, to run by electric power taken from the electric railway feed wires, and to be provided with all modern safety and controlling devices.

“On the abacus of the capital there is a space which could be utilized for a promenade, and with a protecting screen that would be practically invisible from below, visitors could obtain in perfect security a continuous view of the magnificent prospect. The framework of the tramway would be of very light construction, and would not be visible at all from the river approach, and scarcely perceptible from the south.

“It has been suggested that it would be feasible to put a lift in the

interior of the column, but this would involve the tearing out of the stone spiral stairway which is firmly built into the masonry, and the consequent weakening of the column. Besides, it would give a very contracted car space, and would also necessitate the cutting of a door through the masonry of the cippas which immediately supports the statue of Brock—altogether a proposal of exceedingly questionable merit.

“By constructing the incline as proposed, no interference whatever would be made with the existing structure, excepting only the braces necessary to stiffen the lattice work, and the fastenings for the ropes. From the photograph herewith an idea of the nature of the incline may be had.

“The present charge for climbing the central stairway is twenty-five cents. The charge for the incline could be made twenty-five cents for each person, and the use of the stairway made free; thus affording a valuable concession to the general public.

“No. 6. Near the base of the heights, and within the village limits of Queenston, there is a small stone cenotaph erected to mark the spot where Brock fell. It is just north of the line of the electric railway, and was erected in 1860, when the corner-stone was placed by the Prince of Wales. The land on which it is located was apparently never secured by those who were instrumental in having the monument erected, and the present ownership, so far as can be ascertained, is in private hands.

“It would appear but reasonable that this interesting and sacred spot should be cared for equally with the more imposing property on the heights; and I would suggest that say fifty or a hundred feet in width on either side of the stone, by the whole depth of the lot, should be secured and fenced, and the ground suitably planted and cared for. Title to this piece of property can be had from the present owner.

“No. 7. Immediately west of the monument grounds, on lands belonging to Sir Casimir Gzowski, there are two earthworks or redoubts still in a fairly good state of preservation which were constructed during the war of 1812 by the Royal Engineers under Lieutenant Jenoway. These are at least worthy of preservation in connection with the monument grounds, and I take the liberty of suggesting that an effort be made to secure possession of the lands on which they are situated. Doubtless Sir Casimir would be disposed to transfer them, together with a few acres of his land, to the Commissioners on reasonable terms. Very little work is necessary in order to put these redoubts into fair condition for inspection by visitors, and it would cost practically nothing to maintain them.

“The cost of the several works referred to would be approximately

as follows :—

Proposed Works	Original outlay.		Yearly Maintenance	
	\$	c.	\$	c.
1 New roadway approach from the west	1,000	00		
2 Fence in front	300	00		
3 Putting grounds in order	500	00	400	00
4 Supply of drinking water	300	00		
5 Incline complete	5,000	00	800	00
6 Cenotaph where Brock fell, including cost of lands, fencing, etc.	400	00	50	00
7 Redoubts, land, etc.	2,500	00	50	00
	\$10,000 00		\$1,300 00	
Interest on outlay at 4 per cent..... ..			400 00	
			\$1,700 00	

“To provide for this expenditure an issue of park bonds to the extent of the outlay required, say \$10,000 at four per cent., would enable the work to be done, and from the revenues from the lift the proper care of the whole of the properties would be secured for all time.

“Photographs of the monument and cenotaph are enclosed herewith together with a plan of the grounds.”

Yours very truly,

James Wilson,

Superintendent.

Queen Victoria Niagara Falls Park,

September 12th, 1894.

While the Commissioners did not fully endorse the proposal to provide for the maintenance of the premises by the erection of an electric lift, they concurred in the proposal to assume the care of the property, and an Order-in-Council was passed on the 19th March, 1895, placing the monument and the twelve acres of ground under their supervision.

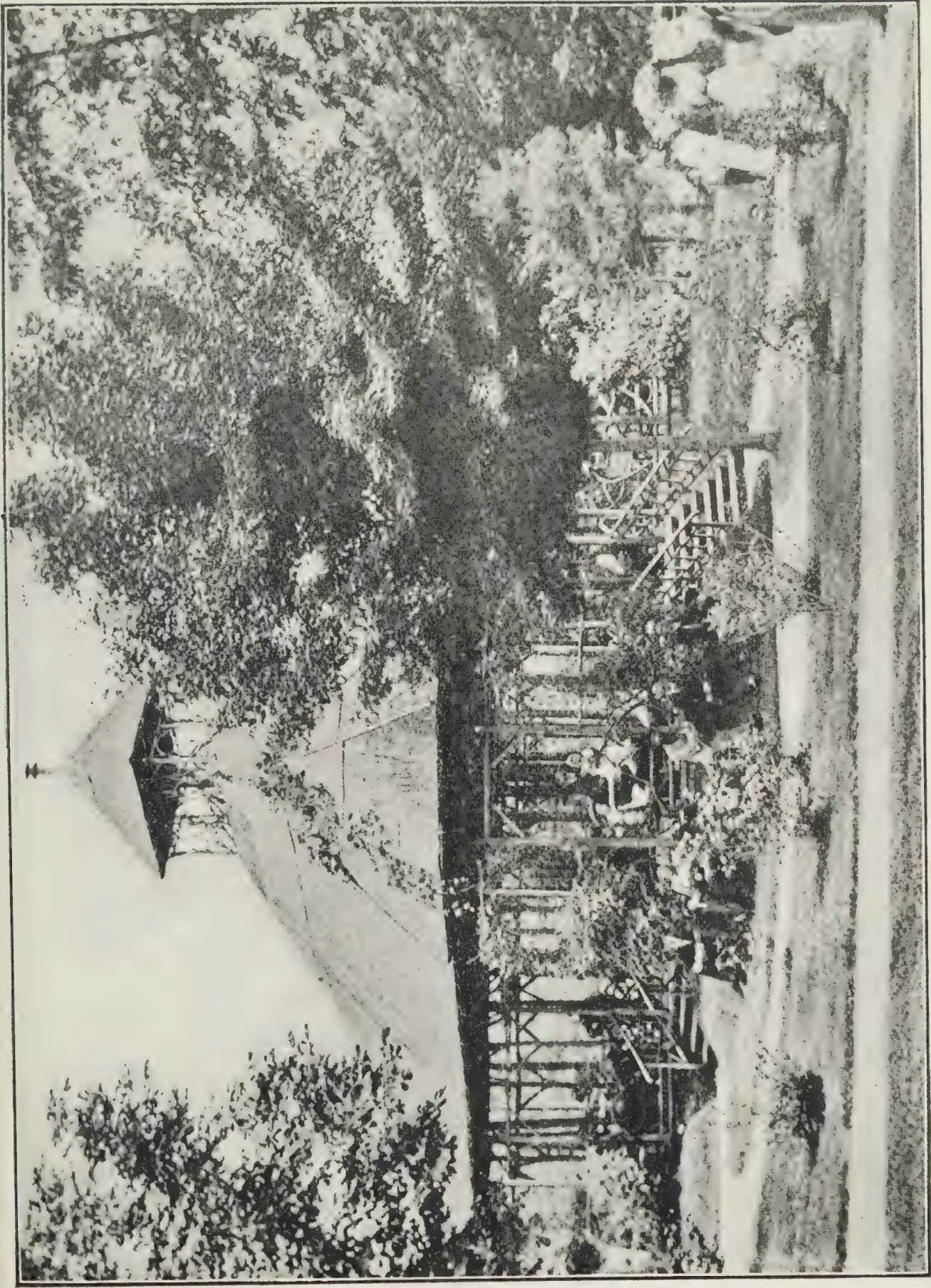
Under a license of occupation, issued on the 20th June, 1891, a portion of the reserve comprising four and seven-tenths acres of the slope was granted to the Commissioners by the Dominion Government as a right of way for electric railway purposes ; and on December 18th, 1895, two other parcels of land aggregating five and three-fourth acres were also vested in them by a lease under the great seal of the Dominion. It is confidently expected that before long the balance of this historic property, with which so many glorious associations are connected, will be placed under the permanent jurisdiction and control of the Commissioners, with a view to its proper preservation as part of the general park system.

Upon assuming control of the monument and its adjacent grounds, works of reclamation were immediately begun; the dense growth of juniper which marred the views in every direction was trimmed or removed; new vistas were opened up, conveniences for picnic parties, including a supply of spring water, were provided, and the old wooden picket fence on the side of the highway was removed and replaced by a neat chain railing supported on turned wooden posts of appropriate design. A new and convenient pathway was also opened for pedestrians from the electric railway platform to the main roadway leading up to the monument.

The Commissioners have kept constantly in view from the first the necessity for promptly undertaking the improvement of the various properties placed from time to time under their jurisdiction, and of bringing them as far as possible in harmony with the natural surroundings, while at the same time making every available provision for the comfort and enjoyment of the many thousand visitors who gather here from all parts of the globe. Unfortunately, however, the very limited revenue derived from the property, and the large amount required every six months to meet the debenture interest, necessitated the exercise of the most rigid economy in expenditures for new works, and the most careful husbanding of their resources; consequently after the removal of objectionable structures, and providing for the initial works of construction needed for the opening of the property was accomplished, and for which provision had been made when the first bonds were issued, the most that could be done for several successive years was to keep the grounds in fair order and condition, and to postpone to some more convenient season every undertaking that involved the expenditure of any considerable sum of money. This somewhat parsimonious treatment of the property was greatly to be regretted; but under the circumstances no other course was open to the Commissioners.

Within the last two years some efforts have been made to take up the work in a modest and tentative way, and in the Park proper—that is in the immediate vicinity of the Falls—a good deal has already been accomplished, particularly in planting bare places with selected trees and shrubs of the best kinds, and also adding, where admissible, beds of choice herbaceous perennials. It must be borne in mind, however, that years must elapse before the results to be obtained from planting out deciduous trees or evergreens will be fully realized; consequently any delay in beginning the work necessarily postpones the time when the desired effects of foliage and shade may be expected to reach a fair degree of perfection. The absolute necessity for incurring considerable expense in renewing the crib-work forming the shore protection works in the upper reaches of the Park has also prevented a larger outlay in this most essential and much-needed work.

It may be interesting to show at this point the receipts from all sources since the inception of the Park to the present time, and also the expenditures made in connection with the whole of the property which is under the jurisdiction of the Commissioners:



Picnic Grounds Pavilion, Queen Victoria Park.

Receipts.

Bonds issued, proceeds of and advances by the Government for preliminary surveys, etc.....	\$630,882 11
Tolls from visitors "Under the Falls" (five yrs. only)	\$20,256 26
Tolls from visitors over the Islands.....	14,661 42
Tolls from visitors to Brock's Monument (1895 only)	308 75
	<hr/> 35,226 43
Rentals for the privilege of conducting visitors under the Falls, and for the sale of photos and refreshments	26,491 33
Rentals from the Niagara Falls Park & River Railway Co.	42,500 00
Rentals from the Canadian Niagara Power Co.	74,577 78
Deposit, Col. A. D. Shaw, re railway franchise	4,866 66
Sundries, sale of old buildings and materials, etc....	3,208 54
Sundries, town of Niagara Falls, towards cost of River Road	1,000 00
Interest on bank deposits	11,757 50
	<hr/> \$830,510 35

Expenditures.

Capital Account.

Lands for park purposes, including cost of surveys, arbitrations and legal expenses in connection therewith	\$453,932 72
Works of improvement, including cost of materials, labor, etc.	56,614 98
	<hr/> \$510,547 70

Maintenance.

Materials, salaries, wages, etc.	\$118,247 54
Commissioners' disbursements and expenses ...	1,831 11
Bank interest on temporary loans.....	8,944 91
Refund to Col. Shaw re railway franchise	4,866 66
Coupon interest on bonds and charges	183,735 89
	<hr/> 317,626 11
Balance at Imperial Bank, December 31st, 1895	2,336 54
	<hr/> \$830,510 35

It will thus be seen that, including all the works of construction and renewal completed before the Park was opened to the public, only a little over \$50,000 has, to the present time, been expended in opening up and otherwise improving the large extent of territory now embraced in the Park system.

A few facts in relation to the original cost and the expenditures for maintenance and improvements in connection with the New York State Reservation may not be out of place. The following figures are either taken from the published reports of the Board of Commissioners of the Reservation, or supplied through the kindness of Mr. T. V. Welsh, the Superintendent :

New York State Reservation.

Total area embraced by Reservation, 107 2-3 acres.

Original cost of land, including the cost of appraisal	\$1,452,929 50	
Expended in new works since the opening of the Reservation in 1885	110,000 00	:
	<hr/>	\$1,562,929 50

Amount of appropriations by Legislature for maintenance account	\$185,000 00	
Receipts on account of buildings, etc., sold in the Reservation, and proceeds applied for maintenance	47,514 82	
	<hr/>	232,514 82

Or a total, not including interest on the capital account, of \$1,795,444 32

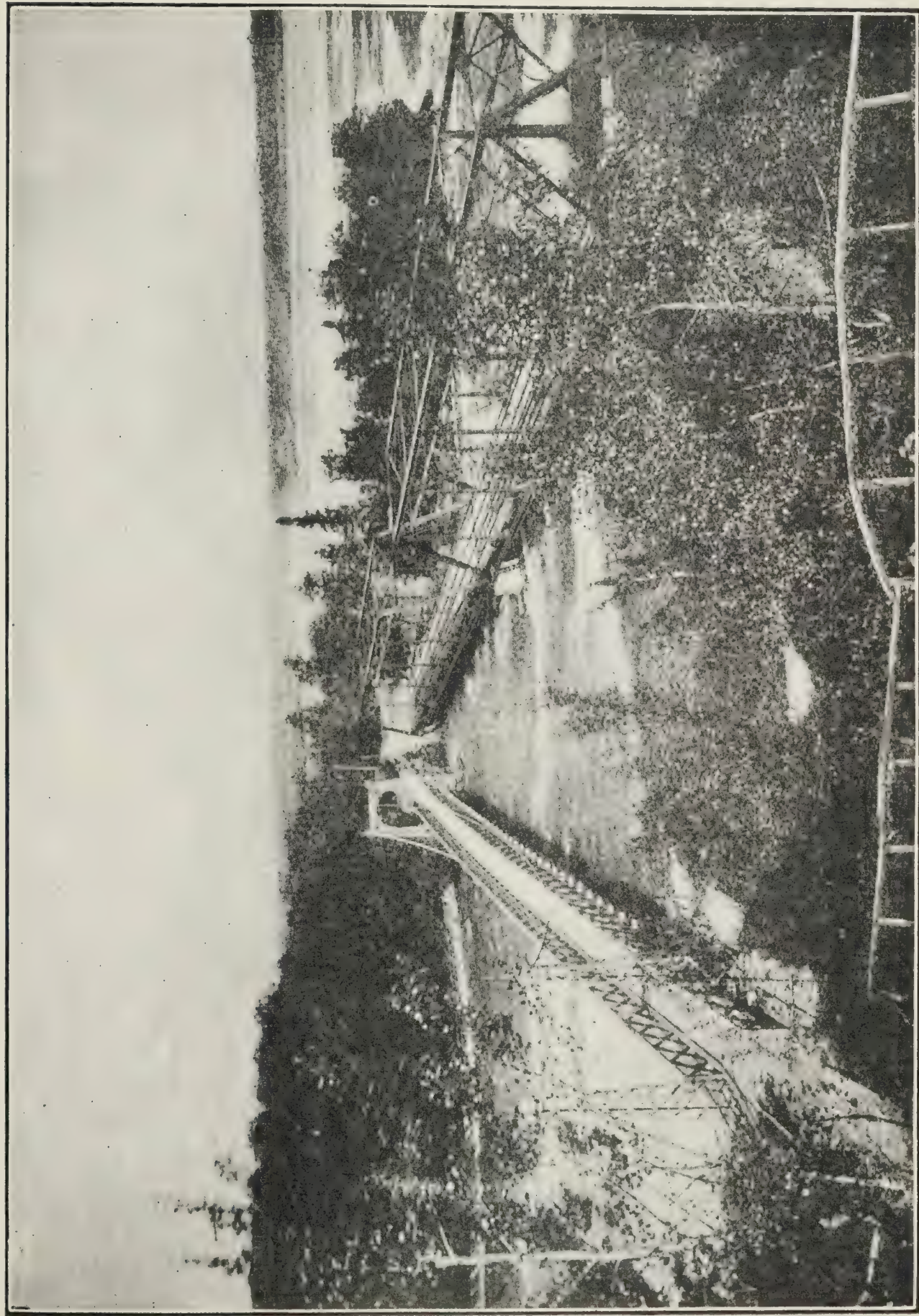
There has been received since the establishment of the Reservation from rentals and privileges, and from the Incline Railway down to the "Maid of the Mist" landing, the sum of \$71,169 66

As the Reservation was opened to the public on the 15th July, 1885, the cost of maintenance appears to have been about \$23,000 per annum on an average, and the expenditure for new works has averaged about \$11,000.

Altogether, it is shown by a reference in the last annual report of the Commissioners of the Reservation, that the 107 acres comprised in the State Reservation at Niagara has cost the State of New York, up to the present time, in round numbers, \$2,500,000. This is certainly a vast outlay, and one which, without prospect of any financial return whatever, the people of the Empire State have willingly contributed in order to redeem their heritage in Niagara Falls from its unseemly environment, and preserve to succeeding generations this "Crowning glory of the Continent" in all its native beauty and magnificence.

Perhaps we have in the wise and eloquent words of the Commissioners of the State Survey, when reporting to the Legislature upon the project in 1880, a key to the noble sentiment which has prompted this great outlay of money on the part of our neighbors, and which without doubt stimulated our Legislature to action in respect to the Canadian side. They say :

"The question cannot be regarded simply as an economical one. It has been fully recognized by wise men in all times and in all lands to be conducive to civilization, to the instruction of the people, and to the conservation of public order, that localities which are associated with the lives, the achievements and the deaths of distinguished men should be set apart, preserved and held as a sacred heritage to be transmitted from one generation to another. In the same way gifts of nature which appeal to the higher sensibilities of mankind by their beauty and by their grandeur are entitled to reverential protection. Americans go to Europe not only to visit the burial places of great men of past generations, but also to see the valleys of the Rhine and



The Dufferin Islands, from Prospect Drive, Queen Victoria Park.

the Danube, the mountains of Switzerland and the shores of the Mediterranean. The impulses which thus draw the nations together are a powerful influence for the obliteration of race prejudices, and thus for the preservation of the peace of the world."

"There is nowhere a natural object better adapted to serve these great ends than the Falls of Niagara, and the State which holds such a treasure, holds it under sacred obligations to mankind."

"It cannot be doubted that another generation will hold us greatly to account if we so neglect or badly administer our trust, that the Falls of Niagara lose their beauty and their human interest. If we blame the men of a former day for not setting apart, when it was the property of the State, and might easily have been done, the Falls of Niagara, as the Yosemite and the Yellowstone have in our day been set apart, then how much more culpable shall we be, who, knowing their value and perceiving their certain destruction, still refuse to take the necessary means for their preservation."

In a very important sense, however, the outlay has not been without large pecuniary gain to the citizens of the State of New York in particular, and to the public generally, in the saving effected to visitors by the removal of the charges formerly made for admission to all chief points of interest. In the seventh annual report of the Commissioners of the reservation, this feature is thus dealt with by the Superintendent:

"A careful observation of the visitors to the Reservation during the entire year, leaves the impression that 500,000 visitors per annum is a fair estimate, and a considerable portion of the whole number are residents of the State of New York."

"Assuming 500,000 visitors per annum to be a fair estimate, and that there has been saved to each the amount of the tolls formerly charged upon the grounds now included in the Reservation, to wit: Fifty cents admission to the Islands, twenty-five cents admission to Prospect Park, and twenty-five cents for the use of the stairway at the Incline Railway in Prospect Park, aggregating one dollar for each visitor, there has been at this time (March, 1890) saved to the public the amount paid by the State for the lands included within the State Reservation at Niagara, and the cost of maintenance up to the present time."

Of course, it can readily be understood that a project of this magnitude, which, though undoubtedly practicable for the wealthy and prosperous State of New York, could only be undertaken by the Province of Ontario upon an entirely different principle, as has already been fully explained. In many respects, however, the Canadian Park system is much more complete than the one on the American side, and embraces sufficient territory to not only command the immediate surroundings of the Falls, but, in addition, nearly the whole reach of the Niagara River, from its beginning at Fort Erie down to the mouth of Niagara. It has been stated that the area of the Queen Victoria Niagara Falls Park, as at first defined, comprised about 154 acres, but to this must be added the lands acquired from private owners for extensions to the park system, and the several properties which have been

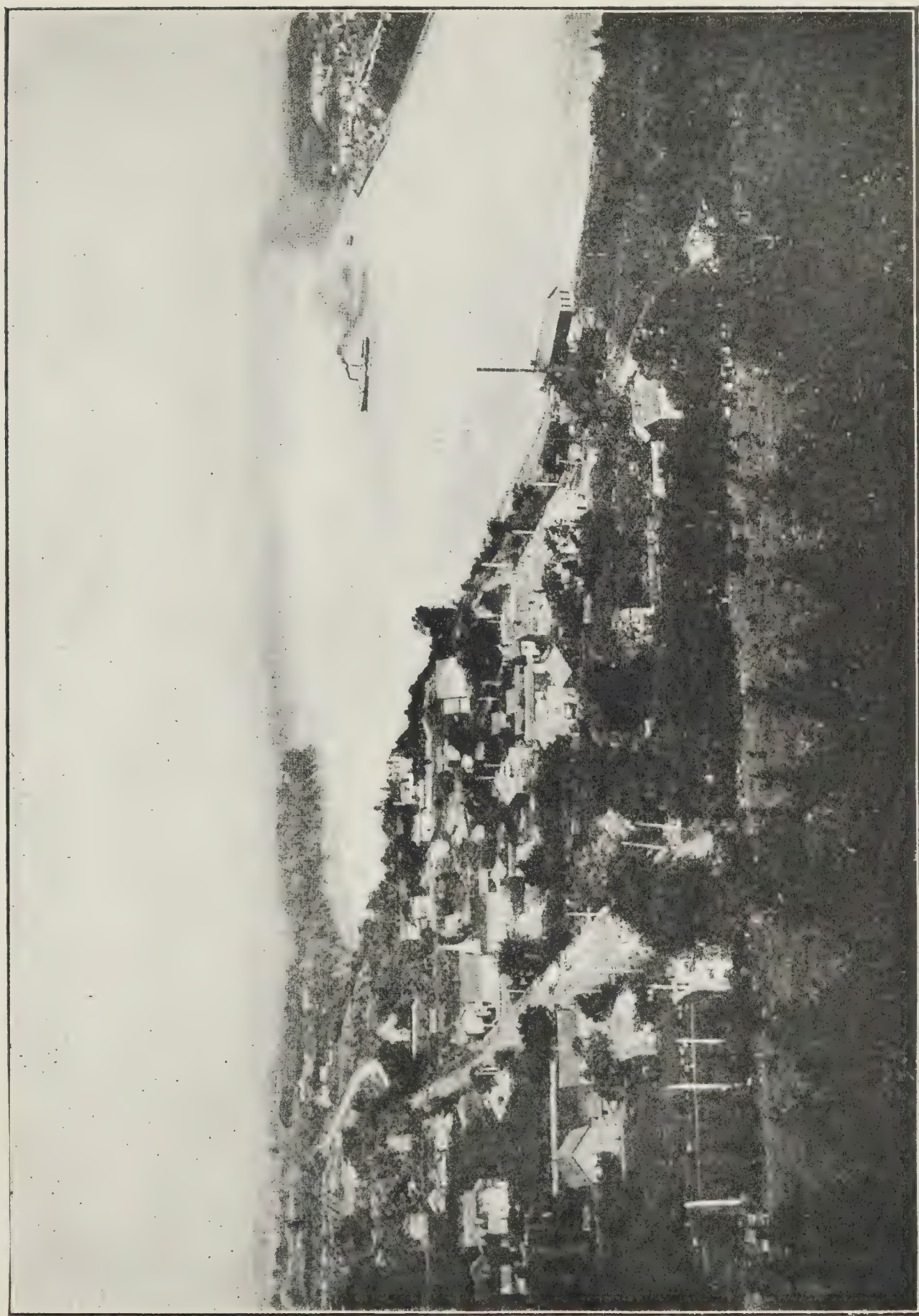
vested in the Commissioners by the Crown from time to time.

The following tabulated statement shows the approximate areas of the several portions of the park domain :

Queen Victoria Niagara Falls Park (being the park proper)	154 acres
Chain Reservation along river from Chippawa to Fort Erie	106 "
Accretions at Fort Erie	10 $\frac{3}{4}$ "
Chain Reserve and land on top of the high bank of the river northerly from the park to the Military Reserve at Queenston	70 "
Talus and lands below the cliff from the park to Queenston	255 $\frac{3}{4}$ "
Lands at Queenston, including portions of the Military Reserve now in tenure of Commissioners ...	35 "
Reserve along water's edge from Queenston to Military Reserve at Niagara-on-the-Lake	43 $\frac{1}{2}$ "
Thus giving a total area, not including the water lots, or lands under water, vested in the Commissioners at the close of 1895 of	675 "

Of this total area, the Ontario Government conveyed to the Commissioners by Orders-in-Council and by Letters Patent 431 acres, and there has been acquired by purchase 244 acres ; the aggregate price paid for the 118 acres which it was necessary to acquire in order to form, together with the thirty-six acres granted by the Government, the Queen Victoria Park was, including cost of survey and arbitration proceedings, \$431,874.64, and the cost of the 126 acres which has been purchased outside the park, and which includes some large tracts below the high bank of the river forming the talus and flats, was \$22,230.07. When it is borne in mind that the whole of this large outlay for the lands purchased, and, in addition, the very considerable sum which has been expended for improving, supervising and maintaining the property from 1887 up to the present time, has been obtained without drawing on the Government for a single dollar, and when it is remembered, moreover, that from the franchises already referred to, the Commissioners have an assured revenue sufficient to meet all the interest charges on the debentures issued, and in addition a good round sum, over and above the interest payments, has been secured for the general maintenance of the property, the Commissioners feel justified in congratulating the Province on the success which has already been attained in the establishment and carrying on of this great work. These results afford a complete vindication of the prediction made by the Commissioners in the early days of the movement, that the project would in course of time become self-sustaining, and ultimately constitute one of the most valuable assets of the Province of Ontario. The park system has broadened out into proportions not contemplated at the time these opinions were expressed, and the initial outlay has been measurably greater than was anticipated, but notwithstanding all this the whole scheme is now on a well-established and sound basis financially, and the outlook for the future is certainly bright and encouraging.

The work of development, however, may be said to have been but



Looking North from Queenston Heights, Queen Victoria Park.

begun. Of all the territory now vested in the Commission, operations on an extensive scale have only been attempted on a portion of the ground within the limits of the Queen Victoria Park, and a beginning made during the past season in the work of reclaiming the grounds around Brock's Monument on Queenston Heights. In the former case a considerable part of the grounds near the Falls must be underdrained before other improvements can be commenced. Long reaches of crib work protection to the shores of the river require to be rebuilt, and in some cases considerably extended in order to prevent further damage to the beautifully wooded slopes forming the bank of the river near Clark Hill ; and the insidious erosion of the land near Tempest Point, by the fierce action of the stormy waters of the rapids, must be guarded against by a similar provision. New pathways, opening up convenient avenues to the shady hillsides enclosing the park, and from whence the most charming vistas of all the varied aspects of land and water may be enjoyed; are urgently needed, as well as permanent forms of driveway construction wherever the influence of the spray has the effect of changing, in an hour, smooth gravel-ways into veritable lakes of mud, even on the brightest days of summer. Additional arbors and shelters of rustic design must be provided, to give the accommodation which experience has shown to be necessary, and the general work of planting out foliage and shade trees, with desirable forms of shrubbery, prosecuted with a greater degree of energy than has been practicable in the past.

For a number of years the execution of some most needed and desirable improvements, particularly in the immediate vicinity of the Falls, had to be postponed for want of the necessary funds, and in consequence the precautions against unduly crowding the visitors at certain points of commanding interest could not be provided. It may be stated that during the months of July and August and part of September, the visitors usually arrive in very large contingents ; and as the time at their disposal in which to "see Niagara" is generally limited to a few hours, a hurried round of the chief attractions is all that can be attempted ; and this is frequently done in such large aggregations that crowding takes place, with all its discomforts and evident want of harmony with the emotions awakened in every thoughtful mind by the distinctive charms of Niagara scenery.

The only way in which this unseemly condition of things can be guarded against is by the opening up of a number of additional points of attraction, and the development of new and interesting features of natural scenery, with restful arbors, of easy access from the main thoroughfares, by means of which the numbers may be distributed over a wider area and the tranquil enjoyment of each one greatly enhanced.

During the past season work upon a much more extended scale than was permissible heretofore has been undertaken, and should nothing unforeseen take place to disturb the plans which the Commissioners have in view, much better effects may be expected in the course of a few years in the general character of the scenery in and around the extensive territory which now forms the Park system, and the many incongruities which have perforce been permitted to remain up to the present time will be removed, or ameliorated, as far as it is possible to do so.

There are several objectionable features in the Park which the Commissioners feel to be somewhat at variance with what may be considered as the ideal in respect to the environment of the Falls, among which may be noted the large stone structures, comprising the Restaurant, Table Rock House, and the electric railway power house. The circumstances, however, under which the whole project was placed, and the necessity of realizing a revenue from the property as a *sine qua non* for its very existence, rendered the preservation of these buildings essential to the success of the enterprise; and, consequently, they have been allowed to remain. In addition to these structures there is a large stone building very near the edge of the Horse Shoe Fall, which was built for the town waterworks pumping station, and although no revenue is derived from it, it is allowed to remain as a concession to the citizens of the town in order that they may have a proper supply of water for fire protection and household purposes. In all of these cases efforts will be made to minimize the want of harmony which these structures now present with the natural conditions, and doubtless much will be accomplished in this direction in the future. The conservation of the natural scenery along the lower reach of the river, on top of the cliffs, as well as within the walls of the canon, and the removal of objectionable or unnecessary artificial features, will also shortly be taken in hand and carried on with as much expedition and thoroughness as possible.

Since the acquisition of the outlying territories, some change would appear to be desirable in the nomenclature of the several properties which are now embraced within the jurisdiction of the Commissioners, some of these having a character distinct in themselves, with local designations, more or less appropriate, and now all forming, and quite properly so, integral parts of the Park system.

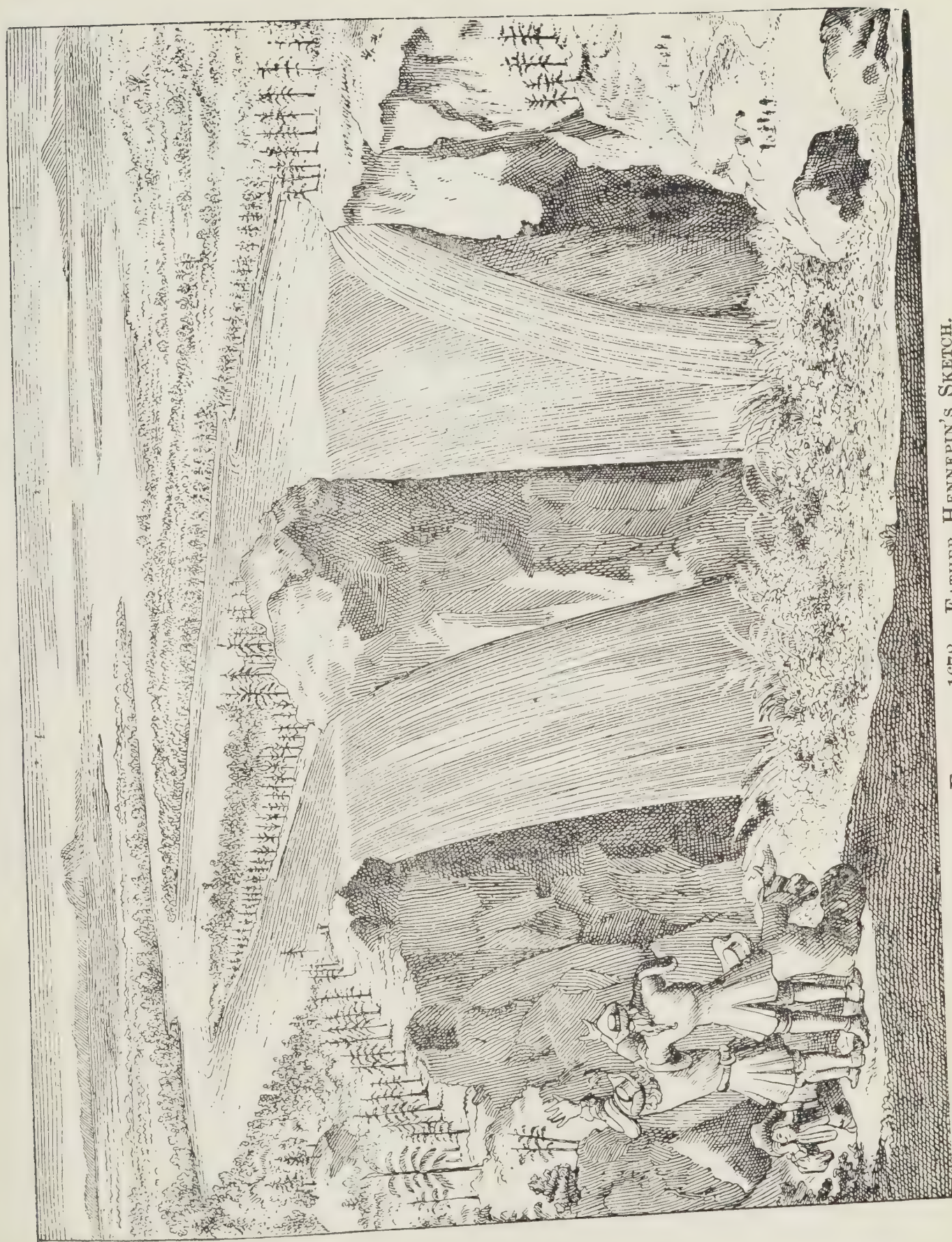
After some consideration the Commissioners would take the liberty of suggesting for the consideration of His Honor the Lieutenant-Governor in Council, the following appellations as being appropriate for the chief divisions of the property, and by which they should be known in future, viz. :

The whole of the territory extending from Fort Erie to Niagara on the Lake to be called "The Queen Victoria Park," and the Commissioners for the time being, known and designated as "The Commissioners for the Queen Victoria Park."

That portion of the property which is comprised within the original limits of the Queen Victoria Niagara Falls Park to be designated "The Niagara Falls Park."

The extension of the talus below the high bank, north of the whirlpool, which is sometimes called Foster's Flats, together with Wintergreen Point, which forms a projection of the cliff immediately above, to be designated "Niagara Glen."

The grounds in the vicinity of Brock's Monument, to be still known as "Queenston Heights." The sixty-six feet strip along the shore of the upper river, between Chippawa and Fort Erie, to be called "Niagara Riverway," and the existing driveway along the edge of the cliff, in front of the Town of Niagara Falls, "Victoria Parkway."



NIAGARA FALLS IN 1678. FATHER HENNEPIN'S SKETCH.

Should this suggestion be approved, the necessary authority might be given to authorize the adoption of these changes.

Vast numbers of visitors have been attracted to Niagara, from all quarters of the earth, by the fame of its marvellous beauty and the exceeding vastness of its power, which has perforce captivated the senses and compelled the admiration of every cultured observer from the time when Father Hennepin first gazed upon the stupendous spectacle in 1678, down to the present time. The emotions created in the mind of Father Hennepin, who was the first European of whose visit we have any record, found vent in the following words, which are taken from his "New Discovery of a Vast Country in America," published in London, England, in 1698 :

"Betwixt the Lake Ontario and Erie, there is a vast and prodigious cadence of water which falls down after a surprising and astonishing manner, insomuch that the universe does not afford its parallel. 'Tis true, Italy and Suedland boast of some such things, but we may well say they are but sorry patterns when compared to this of which we now speak. At the foot of this horrible precipice we meet with the River Niagara, which is not above a quarter of a league broad, but is wonderfully deep in some places. It is so rapid above this descent, that it violently hurries down the wild beasts while endeavoring to pass it to feed on the other side, they not being able to withstand the force of its current, which inevitably casts them headlong above six hundred feet high.

"This wonderful downfall is compounded of two great cross streams of water, and two falls with an isle sloping along the middle of it. The waters which fall from this horrible precipice do foam and boil after the most hideous manner imaginable, making an outrageous noise, more terrible than that of thunder ; for when the wind blows out of the south their dismal roaring may be heard more than fifteen leagues off.

"The River Niagara, having thrown itself down this incredible precipice, continues its impetuous course for two leagues together to the great rock above mentioned with an inexpressible rapidity ; but, having passed that, its impetuosity relents, gliding along more gently for other two leagues till it arrives at the Lake Ontario or Frontenac.

"Any bark or greater vessel may pass from the Fort to the foot of the huge rock above mentioned ; this rock lies to the westward and is cut off from the land by the river Niagara, about two leagues farther down than the great fall ; for which two leagues the people are obliged to transport their goods overland ; but the way is very good and the trees are but few, chiefly firs and oaks.

"From the great fall unto this rock, which is to the west of the river, the two brinks of it are so prodigious high that it would make one tremble to look steadily upon the water rolling along with a rapidity not to be imagined. Were it not for this great cataract, which interrupts navigation, they might sail with barks or greater vessels more than four hundred leagues, crossing the Lake of Huron and reaching even to the farther end of the Lake Illinois ; which two lakes we may easily say are little seas of fresh water."

Although Father Hennepin's estimate of the height of the cataract was doubtless somewhat affected by the sympathetic impulses of his admiration and awe at the wonderful spectacle, yet in some respects his description is most interesting and valuable, the more so as he has furnished us with a bird's eye picture of the Falls and upper river to Lake Erie as they appeared at the time of his visit. This interesting drawing is here reproduced :

"Since Father Hennepin's day, countless pilgrims have recorded the impressions made upon their minds by the sight of the same glorious scenes.

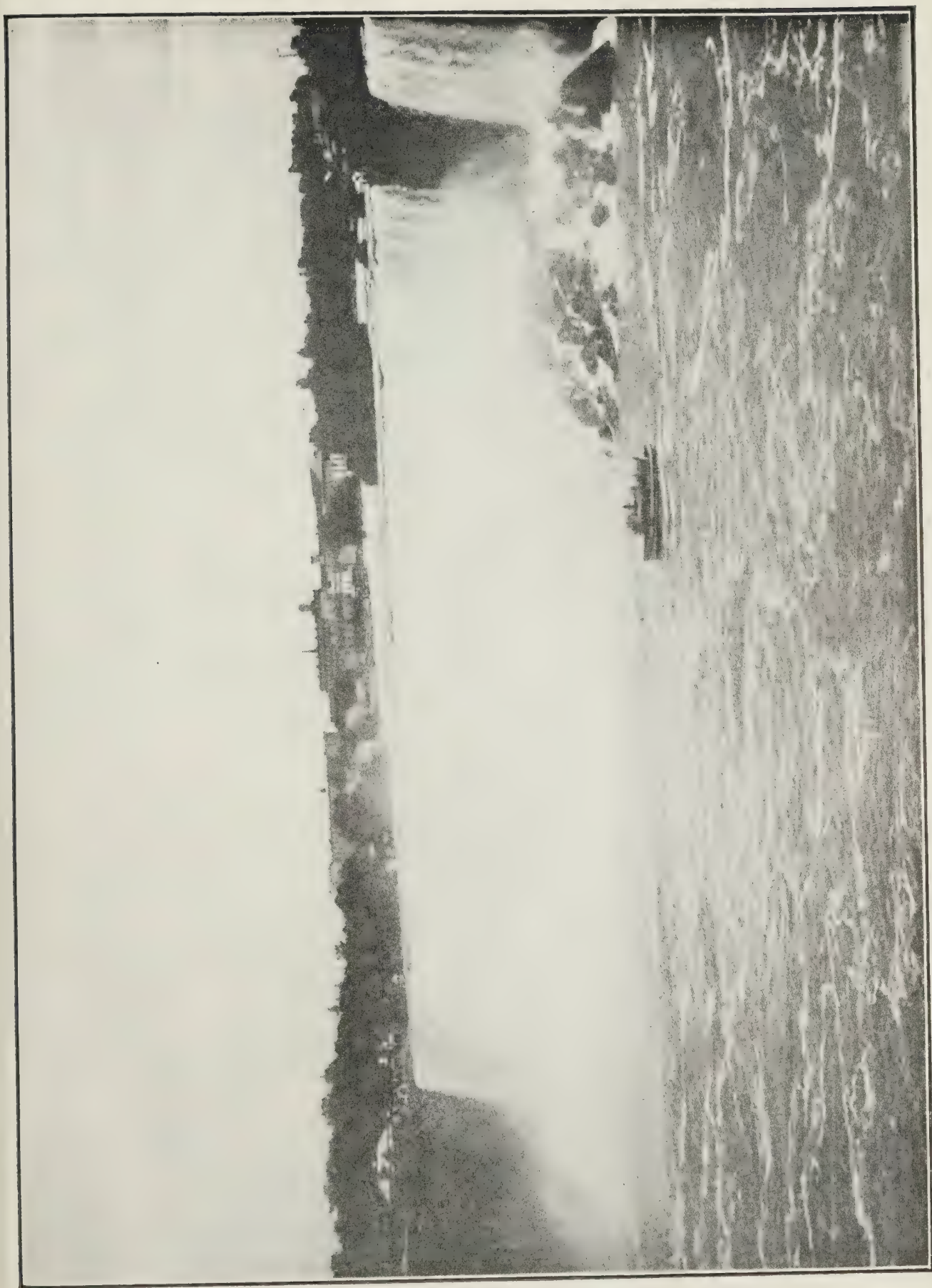
"Early in this century (1804) Tom Moore, the eloquent Irish poet, made a special journey from New York to see Niagara, a more difficult feat in those days than it is now, and chronicles his emotions in these soul-stirring words :

" 'I have seen the falls, and am all rapture and amazement. I cannot give you a better idea of what I felt than by transcribing what I wrote off hastily in my journal on returning.

" 'Arrived at Chippawa, within three miles of the Falls, on Saturday, July 21st, to dinner. That evening walked towards the Falls, but got no further than the rapids which gave us a prelibation of the grandeur we had to expect. Next day, Sunday, July 22nd, went to visit the Falls. Never shall I forget the impression I felt at the first glimpse of them which we got as the carriage passed over the hill that over-looks them. We were not near enough to be agitated by the terrific effects of the scene ; but saw through the trees this mighty flow of waters descending with calm magnificence and received enough of its grandeur to set imagination on the wing—imagination which, even at Niagara, can outrun reality. I felt as if approaching the residence of the Deity ; the tears started into my eyes ; and I remained, for moments after we had lost sight of the scene, in that delicious absorption which enthusiasm alone can produce. We arrived at the New Ladder, and descended to the bottom. Here all its awful sublimities rushed full upon me ; but the former exquisite sensation was gone, I now saw all. The string that had been touched by the first impulse and which fancy would have kept for ever vibrating, now rested in reality. Yet, though there was no more to imagine, there was much to feel. My whole heart and soul ascended towards the Divinity in a swell of devout admiration, which I never before experienced. On, bring the atheist here and he cannot return an atheist. I pity the man who can coldly sit down to write a description of these ineffable wonders ; much more do I pity him who can submit them to the admeasurement of gallons and yards. It is impossible by pen or pencil to give even a faint idea of their magnificence. Painting is lifeless, and the most burning words of poetry have all been lavished upon inferior and ordinary subjects. We must have new combinations of language to describe the Falls of Niagara.'

In the year 1842 Charles Dickens, that great master of the pen, whose gifts and graces all the English speaking world reveres, says in his 'Notes on America' :

" 'In the morning we arrived at Buffalo, and being too near the Great Falls to wait patiently anywhere else, we set off by the train at



American Falls, from Inspiration Point, Queen Victoria Park.

nine o'clock to Niagara. It was a miserable day, chilly, and raw, a damp mist falling, and the trees in that northern region quite bare and wintry. Whenever the train halted I listened for the roar; and was constantly straining my eyes in the direction I knew the Falls must be from seeing the river rolling on towards them; every moment expecting to behold the spray. Within a few minutes of our stopping, not before, I saw two great white clouds rising up slowly and majestically from the depths of the earth, that was all. At length we alighted, and then, for the first time, I heard the mighty rush of water, and felt the ground tremble underneath my feet. The bank is very steep and was slippery with rain and half melted ice. I hardly knew how I got down, but I was soon at the bottom and climbing, with two English officers, who were crossing and had joined me, over some broken rocks, deafened by the noise, half blinded by the spray, and wet to the skin. We were at the foot of the American Fall. I could see an immense torrent of water tearing headlong down from some great height, but had no idea of shape or situation, or anything but vague immensity. When we were seated in the little ferry boat and were crossing the swollen river, immediately before both cataracts, I began to feel what it was; but I was in a manner stunned, and unable to comprehend the vastness of the scene.

“ ‘It was not until I came to Table Rock, and looked, Great Heaven, on what a fall of bright green water, that it came upon me in its full might and majesty. Then when I felt how near to my Creator I was standing, the first effect and the enduring one—instant and lasting — of the tremendous spectacle was peace, peace of mind; tranquility; calm recollection of the dead, great thoughts of eternal rest and happiness, nothing of gloom and terror. Niagara was at once stamped upon my heart, an image of beauty, to remain there changeless and indelible, until its pulses cease to beat forever.

“ ‘Oh, how the strifes and trouble of our daily life receded from my view, and lessened in the distance, during the ten memorable days we passed on the enchanted ground. What voices spoke from out the thundering water; what faces faded from the earth, looked out upon me from its gleaming depths; what heavenly promise glistened in those Angels' tears, the drops of many hues, that showered around and twined themselves about the gorgeous arches which the changing rainbow made, I never stirred in all this time from the Canadian side whither I had gone first. I never crossed the river again, for I knew there were people on the other shore, and in such a place it is natural to shun strange company.

“ ‘To wander to and fro all day and see the cataract from all points of view, to stand upon the edge of the great Horse Shoe Fall, marking the hurried water gathering strength as it approached the verge, yet seeming, too, to pause before it shot into the gulf below; to gaze from the river's level up to the torrent as it came streaming down; to climb the neighboring heights and watch it through the trees, and see the wreathing water in the rapids hurrying on to take its fearful plunge; to linger in the shadow of the solemn rocks three miles below; watching the river as, stirred by no visible cause, it heaved and eddied and awoke the echoes, being troubled yet far down beneath the surface by its giant leap, to have Niagara before me, lighted by the sun and

by the moon, red in the day's decline, and grey as evening slowly fell upon it ; to look upon it every day, and wake up in the night and hear its ceaseless noise ; this was enough.

“ ‘I think in every quiet season now, still do those waters roll and leap, and roar and tumble all day long ; still are the rainbows spanning them, a hundred feet below ; still, when the sun is on them, do they shine and glow like molten gold ; still, when the day is gloomy, do they fall like snow, or seem to crumble away like the front of the great chalk cliff, or roll down the rock like dense white smoke.

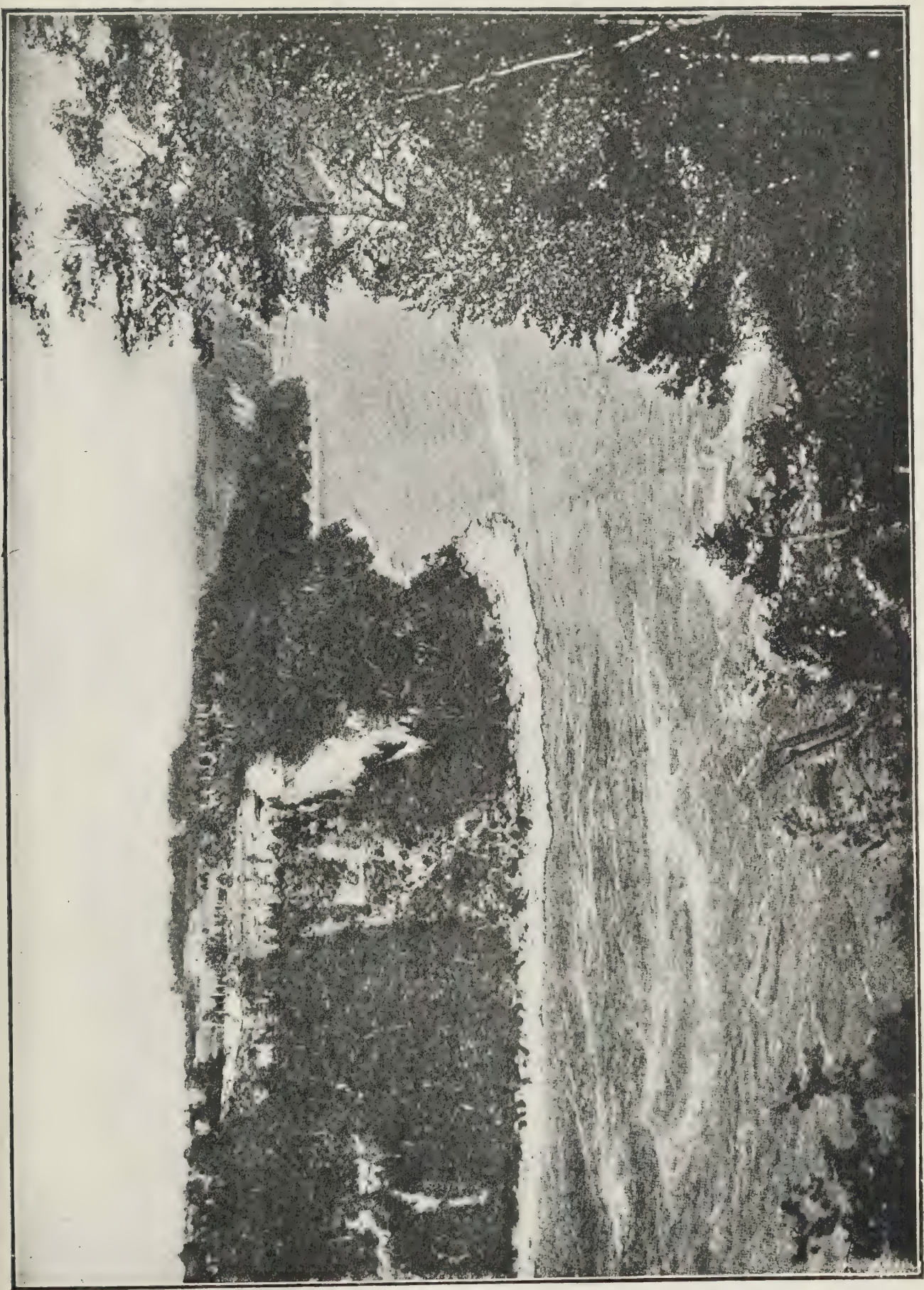
“ ‘But always does the mighty stream appear to die, as it comes down, and always from its unfathomable grave arises the tremendous ghost of spray and mist, which is never laid ; which has haunted this place with the same dread solemnity since darkness brooded on the deep, and the first flood before the Deluge, light came rushing on creation at the Word of God.’ ”

Grand though the panorama of the Falls may be in the springtime, when prolific nature clothes the setting in the brightest green, or in the autumn when the rich and varied tints of the deciduous foliage contrasting with the more solemn evergreens in the surrounding landscape, add a charm that is at once striking and delightful ; yet it is in winter, when Boreas holds sway, and all the brilliant shades of autumn or the refreshing verdure of spring time, which furnish such a pleasing framework to the majestic river and falls, are wreathed in a mantle of white, that the most sublime and inspiring emotions are awakened in the human mind.

We cannot do better than quote the words of our brilliant fellow citizen, Principal Grant, of Queen's University, in describing the beauty of the winter scenery in the vicinity of Table Rock. He says :

“ ‘After a few days of hard frost in winter, the Falls become more like a vision of some enchanted land than a real scene in the world we are living in. No marvels wrought by genii and magicians in eastern tales could surpass the wonderful creations that rise along the surrounding banks and hang over the walls of the cataract. Glittering wreaths of icicles like jewelled diadems gleam on the brow of every projecting rock and jutting crag. Arches, pillars and porticos of shining splendor are grouped beneath the overhanging cliffs, giving fanciful suggestions of fairy palaces beyond. Every fallen fragment of rock under its icy covering becomes a marble column, pyramid or obelisk, and masses of frozen spray stand up here and there in graceful and statuesque forms, easily shaped by imagination into the half finished work of a sculptor.

“ ‘Every rift and opening in the cliff is transformed into an alabaster grotto, with friezes and mouldings ‘all fretted and froze’ with filigree wreaths and festoons and filmy veils and canopies of lace-like pattern and gossamer texture ; and on every curve and angle, round every fissure and crevice, some fantastic and lovely decoration is woven by winter's master artist, king frost. Every tree and shrub, every tiny twig and blade of grass, on which this wonder-working spray falls and freezes, becomes wrapped in a gleaming white crust, and glistens in the sun as if made of crystal and mother of pearl. From the tips of the



Thompson's Point and Whirlpool, Queen Victoria Park.

evergreen branches hang clusters, of ice balls, popularly called ice apples, which flash and glitter when the rays of sunlight fall on them, like the jewels growing on the trees of the magic garden in the Arabian Nights. Still more fairy like are the evanescent charms produced by a night's hoar frost, fringing the pearly covering in which everything is wrapped with a delicate, fragile emorescence, and giving a soft, shadowy, visionary aspect to the whole scene, as if it were the creation of some wonderful dream, then as the sun, before which its unearthly beauty melts away, shines out, all changes for a few brief minutes into a sparkling, dazzling glory, as if a shower of diamond dust had suddenly fallen."

Although the "Crowning Glory" of Niagara is unquestionably the great Horse Shoe Fall, and second only to that the wondrously beautiful American Fall, and to these, therefore, will ever be given the highest paeans of man's admiration; yet in the minds of many a scientific and appreciative visitor, the feelings of wonder and interest created by the distinctive beauty of the Great Canon, holding in its giant grasp the aggregated volume of water hurled over the two great Falls, or by the strange phenomenon of the mighty Whirlpool, whose ceaseless gyrations interrupt the onward rush of maddened waters, are hardly less intense or delightful than those which are called forth by the contemplation of the Falls themselves.

Mr. Frederick Law Olmsted, in his report before referred to on the proposed park scheme, quotes the words of William Robinson, F. L. S., as follows:

"The noblest of nature's gardens that I have yet seen is that of the surroundings and neighborhood of the Falls of Niagara; grand as are the colossal Falls, the Rapids and the course of the river for a considerable distance above and below possess more interest and beauty.

"As the river courses far below the Falls, confined between vast walls of rock, the clear water of a peculiar greenish hue, and white here and there with circlets of yet unsoothed foam, the effect is startlingly beautiful, quite apart from the Falls. The high cliffs are crested with woods, the ruins of the great rock walls forming wide, irregular banks between them and the water, and also beautifully clothed with wood to the river's edge, often so far below that you sometimes look, from the upper brink down on the top of tall pines that seem diminished in size. The wild vines scramble among the trees; many shrubs and flowers seam the high rocks; in moist spots here and there a sharp eye may detect many flowered tufts of the beautiful fringed gentian, strange to European eyes; and beyond that, and at the upper end of the wood-embowered deep river bed, a portion of the crowning glory of the scene—the Falls—a vast cliff of illuminated foam with a zone towards its upper edge as of green molten glass."

Again, a mile below the Whirlpool, the beautifully wooded talus which lies between the high cliffs and the water's edge, widens out to form the expanse locally known as Foster's Flats, a lovely spot which has been described by Principal Grant in the following words:—

"Lying under the cliffs which project picturesquely above it, richly wooded, interspersed with rocky mounds, leafy dells, and moss-grown

hollows, shut in by the great lichen covered rocks, this tiny glen is a perfect epitome of wild natural beauty, only accessible by a winding precipitous path from the cliffs above, sheltered by its lofty banks and embowed trees, and kept fresh and green in the heats of summer by the moisture from the river, verdure lingers here nearly all the year around and its temperature in winter is almost as mild as if it looked up at a southern sky. Beautiful even in winter, this favored spot, in spring is a perfect paradise of wild flowers and blossoming shrubs. Its rocks, worn into caves and grottos by the water which once covered them, are hung with graceful tapestry of ferns, mosses and plants; even tall trees grow on their tops, and send down a maze of tangled roots to reach the earth below. Rare and lovely shrubs and trees flourish here uncarved for and unheeded, and ferns of every variety grow, in the most lavish profusion. At one extremity of the glen the river has formed a charming little eddy, smooth and clear as glass, where fish are caught with hook and line; at the other a miniature bay lies within the rocky cape that encloses it with a beach of rounded pebbles, on which the river, torn and tortured by the rocks that obstruct its way, dashes and breaks like the waves of the sea.

Realizing the great value of a better acquaintance with the teachings of science on this subject, the Commissioners have, through the great courtesy of the author, been permitted to republish, as an addenda to this report, the most recent results obtained from careful and reiterated surveys of this region made by Professor G. K. Gilbert of the U. S. Geological Survey, one of the best known authorities in America on geological subjects; and whose monograph will, without doubt, be read with very great interest and appreciation by all whom it may reach.

Many eminent scientific men have recorded their appreciation of the infinite variety and wonderful profusion of the vegetation found in the Niagara District. Doubtless this is in part owing to the beneficent influence of the spray in tempering the conditions of heat and cold, and supplying abundance of moisture in seasons of drought. The Park officials have for several years been making a collection of all the species found in the territory comprised in the Park, and these have been mounted and catalogued for the Herbarium in the office of the Superintendent of the Park at Niagara Falls. Through the kindness of Professor Macoun, the Dominion Botanist, the name of each specimen in the collection has been very carefully verified.

In a letter of recent date, Professor Macoun remarks: "I consider "Queenston Heights, the valley of the Niagara River and the neighborhood of the Falls as far up as Chippawa, the best botanical ground "in Canada; many species found there, and which are enumerated in "the list, have a southern range which will prove to visitors the mildness of the climate and the value of the region about the Falls for "fruit culture. The custard apple, the tulip tree, the sassafras and the "sour gum are good examples of the mildness of the winters, and many "herbaceous plants of the great heat of summer and autumn."

The catalogue, revised up to date, will also be found as an addenda to this report.

The Commissioners cannot close this general resume of the work of the past ten years without referring to the invaluable services rendered the Park project by Sir Casimir Gzowski.

From the creation of the Park Commission in 1885, and during the first seven years of its history, a period of active negotiation and work and of continued and grave anxiety to the Commissioners as to the success of the undertaking, Sir Casimir had been the chairman of the Board, and it was with unfeigned regret that his colleagues learned from him his decision to retire from active service on the commission.

On the retirement of Sir Casimir Gzowski in 1892, the Government appointed Mr. George H. Wilkes, of Brantford, a commissioner; and Mr. J. W. Langmuir, who had been a member of the Board since its inception in 1885, was made chairman.

The Commissioners also desire to record the great loss sustained by the Board in 1889 in the removal, by death of Mr. J. Grant Macdonald. Mr. Macdonald had been a Commissioner for a period of over four years, and his kindly bearing had at all times endeared him to his fellow Commissioners.

Having given in a somewhat extended form the history of the Park since its inception, the Commissioners do not consider it necessary to enlarge upon the work of the past year, a detailed reference to which will be found in the Report of the Superintendent of the Park, which is appended hereto. The following summary will show the receipts and expenditures for the year:—

Receipts.

Balance on hand at Imperial Bank, January 1st, 1895	\$ 6,463 44
Rental from photo and refreshment privileges and the right to conduct visitors "Under the Falls."	8,200 00
Rental from the Niagara Falls Park and River Railway Company	10,000 00
Rental from the Canadian Niagara Power Company	25,000 00
Receipts from tolls on carriages over islands	\$1,385 20
Receipts from Visitors to Brock's Monument	308 75
	<hr/> 1,693 95
Receipts from Town of Niagara Falls for repairs of river road	1,000 00
Receipts from sundries, sales of old materials, etc.	134 25
Receipts from Imperial Bank, interest on deposits	170 77
	<hr/> \$52,662 41

Expenditure.

Capital Account.—

Permanent improvements, including cost materials, etc.	\$ 4,427 27	
Wages of mechanics and laborers.....	2,947 29	
Land purchases	3,338 15	
Legal expenses	705 00	
Miscellaneous	341 05	
	<hr/>	\$11,758 76

Maintenance Account.—

Salaries and wages, including wages of la- borers, teams, etc.	\$11,723 57	
Materials	2,045 88	
Office expenses	168 67	
Commissioners' expenses	297 70	
Miscellaneous	103 79	
	<hr/>	14,339 61
Coupon interest and charges		24,227 50
Cash on hand in Imperial Bank, Dec. 31st, 1895		2,336 54
		<hr/>
		\$52,662 41
		<hr/>

All which is respectfully submitted.

J. W. LANGMUIR,

Chairman.

JOHN A. ORCHARD,

GEORGE H. WILKES,

Commissioners.

APPENDIX.

Queen Victoria Niagara Falls Park

ANNUAL REPORT OF THE SUPERINTENDENT FOR THE YEAR 1895.

To the Commissioners of The Queen Victoria Niagara Falls Park.

Gentlemen :—I beg to submit my report for the year ending 31st December, 1895.

The winter of 1894-5 was a very pleasant one at the Falls, a comparatively heavy snow fall, and consequent good sleighing, bringing many visitors to see Niagara in its winter beauty, and with all its characteristic charm of frost and spray transformations, as it is gathered and developed in icy foliage, or super-imposed in glittering masses, on every object in the vicinity of Table Rock. The mounds at the base of the Fall assumed very large proportions as the winter wore on, and the visitors who would venture on them, were amply repaid by seeing the magnificent array of curtain-like draperies, of spotless purity, pendent from the face of the cliffs immediately in front; while to the left the great sheet of dark green waters, leaping from the heights above and breaking into myriads of fragments ere half the distance is accomplished, plunge into the foaming cauldron below, with a roar that is terrific by reason of its nearness, and delightful for its deep tone vibrations.

This year again a large part of the cliff extending from Table Rock southwards was entirely covered by ice, and the waterway of the Horse Shoe Falls reduced at its western extremity by over 400 feet. As this is doubtless owing to the receding of water, having recurred for several years in succession, it appears to be altogether likely that the change is becoming a permanent one, and that visitors will soon require a new means of approach to the edge of the chasm at the very brink of the Falls.

The roads and pathways through the park were kept clear of deep snow, and all icy places, where there might be danger of visitors falling and injuring themselves, broken up and made safe.

The skating rinks, referred to in last year's report, which were made on the ponds near the principal entrance of the park, and also at the end of Cedar Island, were kept in good order, and were very much enjoyed by the young people of the town and vicinity for quite a long period.

On the opening of the season for outdoor work, the usual works of cleaning up were taken in hand and all the property in the park, which had been drained and put into shape, was maintained in good condition. Immediately to the south of the restaurant, a part of the broken ground at the base of the high hill bounding the property on the west, was graded and made to form an extension of the picnic grounds ; and the numerous springs of water, which had made this portion of the park almost impassable were drained off.

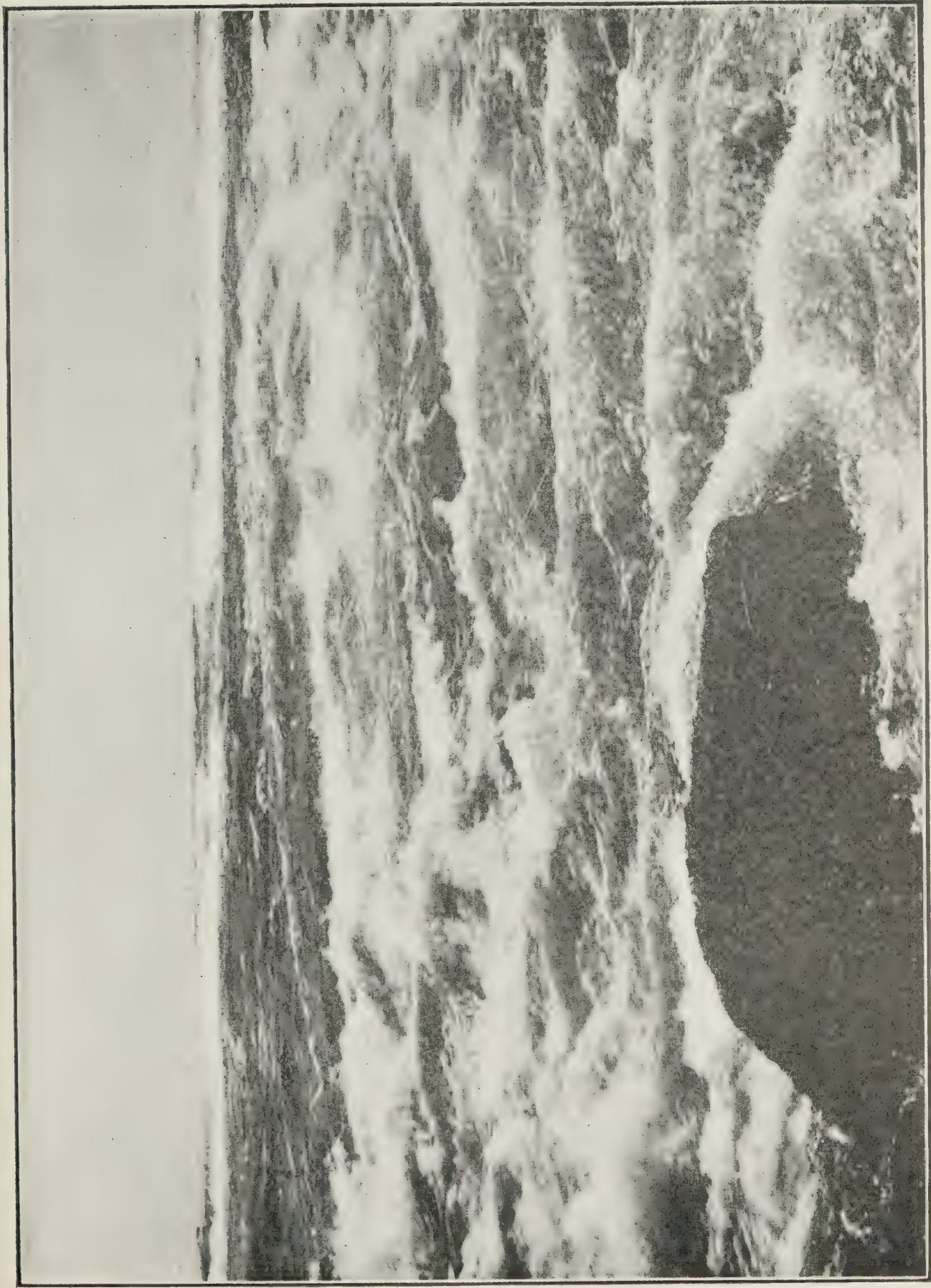
Between the restaurant and Table Rock House the nearly level ground between the railway and the foot of the hill was carefully drained, and a large part of it trenched, in preparation for a bed of ornamental shrubbery, which it is intended to plant out in the ensuing summer.

The setting out of foliage and shade trees was prosecuted more extensively this year than at any time since the establishment of the park ; and a large variety of the best stock that could be obtained, of trees suitable for the place, was set out. We have also secured a large selection of the choicer varieties of evergreen, mainly kinds which were not found on the place, some of which were set out and others put into nursery beds for transplanting in a year or two. In addition to this we have planted out in suitable localities a very large quantity of ornamental and flowering shrubs, which have been propagated in our nursery, and very pleasing effects have already been obtained therefrom.

As an experiment, some dozens of rhododendrons, and azaleas, of the more hardy kinds, have been set out in the picnic grounds, in expectation that they will thrive well where subject to the moderating influences of the spray. Should our experiment prove a success, we hope to try many other desirable forms of half hardy shrubs and plants in various portions of the Park.

The grounds near the front entrance were levelled and improved and some very choice stock of a dwarf character put in. Altogether, with what has been done in the past season, that portion of the park which lies between the Clifton House and the restaurant is now fairly well provided for ; and the portion between the restaurant and Table Rock will be filled up as much as it is considered desirable to do, by the end of the next year. Of course there are still many spots where beds of shrubbery should be planted out and clumps of specimen trees of a distinctive character so placed as to exhibit all the varieties of their order, but what is being attempted is to get some good general effects, with the least possible delay.

In the upper part of the Park, between the gardener's house and the Dufferin Islands, the uneven piece of ground between the railway and the water's edge was levelled, and planted with some good shrubbery. As this is a well sheltered portion of the property we expect to get some very good results from this season's work. Heretofore it has been difficult to secure a sufficient supply of water for irrigating purposes, during dry seasons, in this locality ; but steps have been taken to overcome this evil for the future, and we hope soon to have this beautiful reach of the premises put in much better order than has been heretofore possible.



The Upper Rapids, from Tempest Point, Queen Victoria Park.

In addition to the work of planting out, we have improved the driveways in the Park at several points, and made a new pathway from the edge of the cliff up to the base of the hill at the "Jolly Cut." Some other pathways in this vicinity are required, which we hope to undertake during the ensuing year.

A very important work, which has been delayed from year to year for want of the necessary funds to carry it out, and which has been from the first one of the chief improvements contemplated, is a pathway along the side of the beautifully wooded hill, enclosing the Park on the west, from the Clifton House road to the Dufferin Gate. Such a pathway would open up innumerable vistas of the most charming description, and carry the discerning pedestrian along the choicest ground for botanical research. It is to be hoped that a beginning may be made upon this very interesting work during the coming year.

The usual work of maintaining the roads, pathways, bridges and buildings throughout the Park proper has been carried on during the year, and everything was kept in good shape. In last year's report reference was made to the pressing need for continuing the work of protecting the shores of the river at several points, but notably on the mainland opposite the wildest part of the upper rapids, at Tempest Point. The work was prosecuted vigorously during the summer, and 750 feet of cribwork put in around the great bend beyond Clark Inn, and over 100 feet laid down in the rapids at Tempest Point. All this work has been substantially done and will doubtless afford a very complete protection to the side hill for many years to come. About 500 feet remains to complete the cribwork to the summer house at the end of Riverside Ramble; this gap will be filled in early in the summer. On the completion of this work, and when the funds will admit of it, a gravelled walk is intended to be constructed over the whole length of this reach of cribwork, from the present terminus of Riverside Ramble to Dufferin Gate, a distance of over 600 yards, thus affording a lovely shaded ramble around this interesting bit of the river, and sensibly extending the facilities for the enjoyment of pedestrians. Three or four additional cribs are still required to carry the shore protection well below Tempest Point. The original cribwork facing to Cedar Island, which was put in some thirty-five years ago, is now nearly all gone, and before long it will be necessary to rebuild the whole reach in front of this island from the "gap" down to the intake of the Electric Railway Company. As this work is necessarily of a somewhat expensive character, it will be deferred as long as possible, but a beginning will require to be made in 1896 or 1897. At several points along the many small streams traversing the Dufferin Islands, the present timbering is decayed and will also require to be renewed before long.

Around the buildings in the Park attractive flower beds have been provided, as it has been considered to be well within the scope of the Park scheme to use flowers at such points. In order to provide a permanent and sufficient supply for the use of the Park at little cost, a small greenhouse has been constructed, chiefly out of materials on hand, and a stock of the more thrifty varieties of flowers suitable for this purpose has been secured.

It was found impossible to close the gravel pit by forming it into

a lake, as was intended, owing to the continued necessity for taking gravel for roadway purposes. Early in the ensuing spring it is proposed to take out a large quantity of suitable gravel, clean out the bottom of the pit, and let the water in for the summer. The completion of the work will have to be delayed for a year or two, until provision can be made for securing suitable road metal elsewhere. The gravel obtained from this source has been of exceeding value to the Park, and we cannot close it up without going to a considerable expense for other road material suitable for our purposes. When the lake is fully developed, however, it will form a very attractive feature, and the vicinity is capable of being made one of the choicest portions of our fair domain.

The ancient stone building, which for many years previous to the establishment of the Park was used for a general store, and which had been turned into a drive shed for the shelter of carriages from the spray while awaiting visitors to Table Rock, was torn down in the spring and a new and more convenient structure erected immediately to the rear of Table Rock House, where it is at once out of sight, and removes a rather disagreeable necessity from too close proximity to the public thoroughfares. The area occupied by the building has been cleaned up and the ground prepared for beds of shrubbery to be planted in the spring.

Our visitors this year were very numerous, but owing to the great number brought by the electric railway from both directions, and frequently up to a late hour at night, we have not attempted to keep a detailed tally as before. A very careful estimate, however, places the number at about 500,000.

The number of carriages entering the Park was not quite as large as in 1894; but the numbers brought in by the electric railway more than compensated for any deficiency in this respect. It may be noted, too, that a very large number visited the Park at night, to enjoy the weird moonlight effects upon the crest of the falls, on the drifting spray clouds, and on the foam of the seething waters of the canon below; and also to enjoy a series of free band concerts, which were provided by the electric railway people, in the picnic grounds. These promenade concerts proved very attractive, especially to the young people of the vicinity, and to the visitors at the hotels in the neighborhood of the Park. They were held in the large rustic pavilion, which with the grounds around it were brilliantly lighted up by electricity.

The year has been distinguished by the number of very large excursions coming to the Park, and it is stated that every Canadian excursion to Niagara Falls during the past year rendezvoused on the Canadian side. When it is borne in mind that only a few years ago all Canadian excursions went to the American side by preference, owing to the greater convenience there found for reaching the Reservation from the railway stations, it is manifest that the Commissioners have been more than justified in providing the excellent means of access to the Park premises now afforded by the electric railway system.

This year, more than ever, we have been troubled by crooks and pickpockets following the large excursion parties, and it required every effort of our police force, aided by the members of the Ontario Police, to protect the visitors from loss. Notwithstanding the large numbers



Riverside Ramble, Dufferin Islands, Queen Victoria Park.

present throughout the midsummer months, of all classes and conditions, good order has been maintained throughout.

Outside of the Park proper a considerable amount of clearing up has been done along the top of the river bank between the Park and Queenston. All of this territory has been entirely neglected in the past ; and it will take considerable work to restore it to fair order and condition.

Brock's Monument, and the grounds connected therewith at Queenston Heights, having been vested in the Commissioners for park purposes early in the season, possession was taken and the work of clearing off and improving the property was commenced immediately. It was found that the premises were much in need of attention; and a very considerable amount of work has been expended upon it during the year. A new pathway for pedestrians was opened up from the station of the electric railway to the summit of the Heights, and the southern face of the hill between the highway and the summit was cleaned up, all decayed or unseemly wood removed, and the place generally put in good order. A supply of drinking water has been piped from Brock's Spring, a beautiful, clear, cool and never-failing fountain, which gushes out of the limestone a few feet below the top of the Heights about a quarter of a mile or so west of the monument down to a convenient place on the hillside opposite to the refreshment booth, where a tap with suitable drinking cups has been provided, and a platform for a rustic arbor has been erected. A good deal of attention has also been given to opening up vistas at various points along the edge of the escarpment, and the thick tangle of red cedar on the summit and upon the face of the hill has in many places been removed in order to give space for the growth and development of other and more symmetrical forms of trees.

On the west side of the monument grounds the lands belonging to Sir Casimir Gzowski, embracing some twelve and a-half acres in extent, and upon which stand the earthwork redoubts built during the war of 1812, having been acquired by the Commissioners, a new driveway for carriages entering from the highway leading down from Niagara Falls was laid out, and being approved, was constructed in a most substantial manner.

Along the front of the property the unseemly picket fence which enclosed it from the highway was removed and a new turned post and looped chain fence put up in its place ; this has been extended from the westerly limit of the new purchase down as far as the electric railway crossing, and opens up the premises to view in a marked degree.

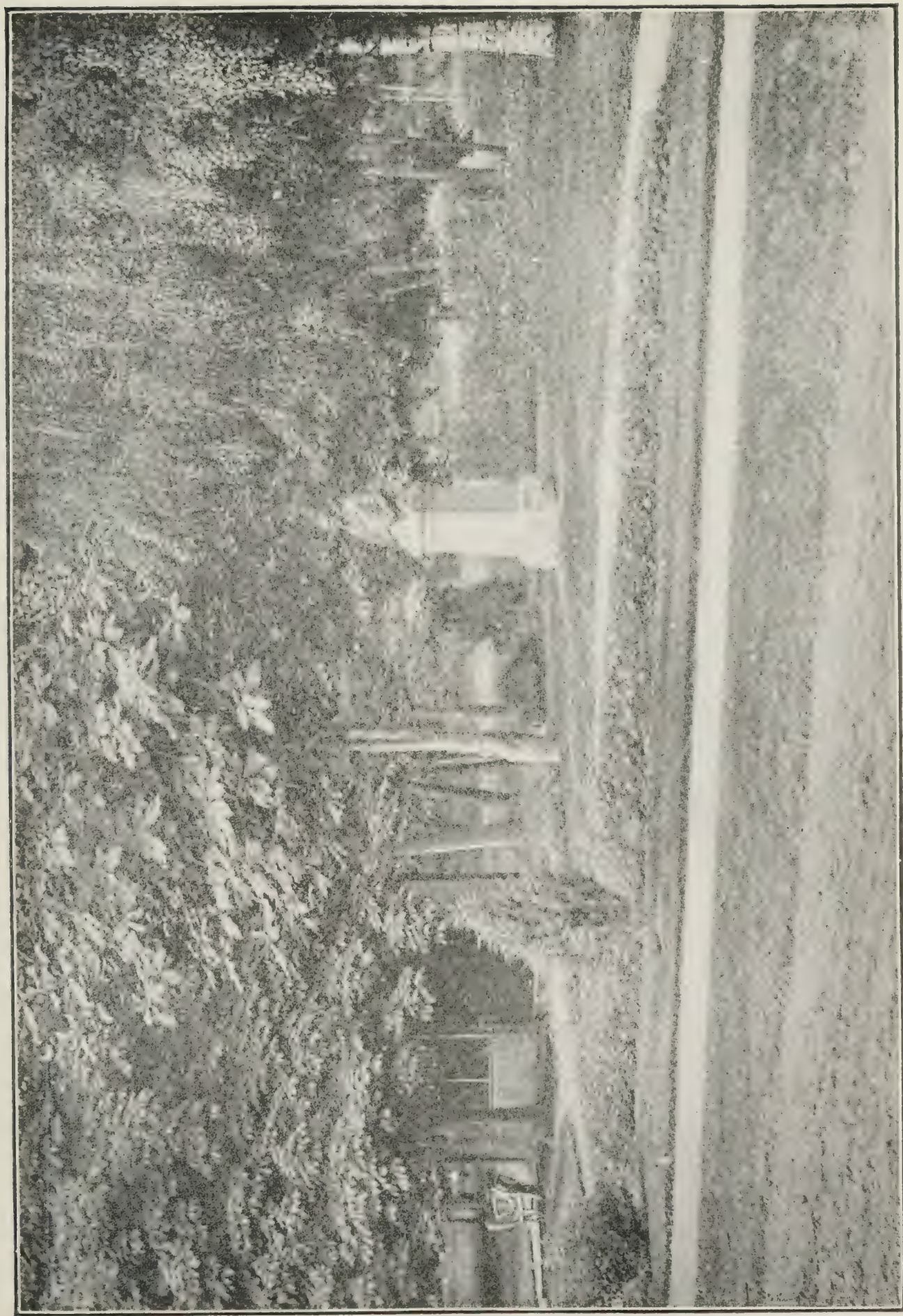
Nothing has as yet been done toward restoring the earthwork redoubts, or towards preparing the grove in the new territory for the purposes of a picnic and recreation ground.

Along the upper reach of the river, between Chippawa and Fort Erie, nothing has been done towards preventing the erosion of the shore where it is exposed to the action of the waves during high water, or the cutting or grinding of the ice in winter and spring. Until some steps are taken on a comprehensive scale to secure the shore from further wasting, any efforts at planting out or improving the property

would be superfluous.

Notwithstanding the many improvements made to the upper reaches of the Park proper, the receipts from visitors for driving over the islands has again diminished and only amounted for the year to \$1,385.20, as the following tabulated statement will show :—

Receipts in 1895	Island Tolls	Brock's Monument	Rentals	Interest	Sundries	Totals
	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
January.....	14 50	.....	2,050 00	.....	.....	2,064 50
February...	25 00	.....	.....	.....	.....	25 00
March.....	22 25	.....	.....	.....	.....	22 25
April.....	39 50	.....	4,550 00	.....	.....	4,589 50
May.....	77 25	17 85	12,500 00	93 92	.....	12,689 02
June.....	174 75	36 40	.....	18 38	.....	229 53
July.....	228 50	79 35	4,550 00	.....	.....	4,857 85
August.....	302 75	111 95	.....	.....	82 17	496 87
September..	275 70	53 00	2,500 00	.....	47 58	2,876 28
October....	143 50	10 20	2,050 00	.....	.....	2,203 70
November..	54 50	.....	12,500 00	58 47	1 00	12,613 97
December...	27 00	.....	2,500 00	.....	1,003 50	3,530 50
Total	1,385 20	308 75	43,200 00	170 77	1,134 25	46,198 97



Picnic Grounds, with Statue of Sir Cassimer Gzowski, Queen Victoria Park.

The expenditure for the year has been as follows, viz.:

New Works on Capital Account.

The Queen Victoria Niagara Falls Park	\$ 7,241 16	
North of Park and including Queenston Heights ...	4,517 60	
	<hr/>	\$11,758 76

Works of Maintenance.

The Queen Victoria Niagara Falls Park	\$14,110 11	
North of Park and including Queenston Heights ...	229 50	
	<hr/>	14,339 61
		<hr/>
		\$26,098 37
Bond interest and charges	24,227 50	
	<hr/>	
Total expenditure	\$50,325 87	

The whole respectfully submitted.

JAMES WILSON,

Superintendent.

Niagara Falls, February 1st, 1896.

CATALOGUE OF PLANTS

Which Have Been Found Growing Without Cultivation In The

PARK AND ITS OUTLYING TERRITORIES

Collected, Mounted and Catalogued for the

Park Herbarium

In the Superintendent's Office at

NIAGARA FALLS, ONTARIO.

BY

RODERICK CAMERON,

CHIEF GARDENER.

QUEEN VICTORIA NIAGARA FALLS PARK.

James Wilson, Esq.,

Superintendent.

Dear Sir,—Acting under your instructions I have, at odd moments during the past five years, collected a large number of specimens of the better known plants growing without cultivation in the Park, and have mounted and catalogued them for convenience of reference.

So far 107 families, comprising 487 genera and 1,101 distinct species, have been found ; and I have no doubt that others will yet be discovered. As you desired to have the catalogue embrace only such plants as have been mounted and are on evidence in the Herbarium, I have not included any of the many other species not found by me but which have been noted by visiting botanists from time to time in the immediate vicinity of the Park.

I have to thank Professor John Macoun, the eminent Chief Botanist of the Geological Survey of Canada, for verifying the names of the several species and for many acts of courtesy and words of encouragement.

The whole respectfully submitted.

RODERICK CAMERON,

Gardener.

The Park, Niagara Falls,

February, 1896.

NAMES OF THE NATURAL ORDERS OF PLANTS.

(As defined in Gray's Manual of Botany Sixth Edition.)

Order.	Family.	No. of genera.	No of species.
1	Ranunculaceæ... .. (Crowfoot).....	11	24
2	Magnoliaceæ... .. (Magnolia).....	2	3
3	Anonaceæ (Custard Apple).....	1	1
4	Menispermaceæ... .. (Moonseed).....	1	1
5	Berberidaceæ (Barberry).....	4	4
6	Nymphæaceæ (Water-Lily).....	1	3
7	Sarraceniaceæ, (Pitcher Plants).....	1	1
8	Papaveraceæ (Poppy).....	3	3
9	Fumariaceæ (Fumitory).....	1	2
10	Cruciferae (Mustard).....	17	32
11	Capparidaceæ (Caper).....	1	1
13	Cistaceæ... .. (Rock-Rose).....	1	1
14	Violaceæ... .. (Violet).....	2	13
15	Caryophyllaceæ... .. (Pink).....	7	17
16	Portulacaceæ... .. (Purslane).....	2	3
18	Hypericaceæ, (St. John's Wort).....	2	7
20	Malvaceæ... .. (Mallow).....	3	5
21	Tiliaceæ (Linden).....	1	2
22	Linaceæ... .. (Flax).....	1	3
23	Geraniaceæ (Geranium).....	4	7
24	Rutaceæ... .. (Rue).....	2	3
25	Ilicineæ... .. (Holly).....	1	1
26	Celastraceæ... .. (Staff-Tree).....	2	3
27	Rhamnaceæ (Buckthorn).....	1	1
28	Vitaceæ... .. (Vine).....	2	3
29	Sapindaceæ... .. (Soapberry).....	4	7
30	Anacardiaceæ... .. (Cashew).....	1	6
31	Polygalaceæ... .. (Milkwort).....	1	2
32	Leguminosæ... .. (Pulse).....	15	35
33	Rosaceæ... .. (Rose).....	14	50
35	Saxifragaceæ... .. (Saxifrage).....	6	12
36	Crassulaceæ (Orpine).....	2	3
28	Hamamelideæ ... (Witch-Hazel).....	1	1
39	Haloragææ... .. (Water-Milfoil).....	1	3
41	Lythraceæ... .. (Loosestrife).....	2	2
42	Onagraceæ, (Evening-Primrose).....	5	10
47	Ficoideæ... ..	1	1
48	Umbelliferæ (Parsley).....	14	18
49	Araliaceæ... .. (Ginseng).....	1	5
50	Cornaceæ... .. (Dogwood).....	2	9
51	Caprifoliaceæ (Honeysuckle).....	6	19
52	Rubiaceæ... .. (Madder).....	5	14
53	Valerianaceæ... .. (Valerian).....	1	1
54	Dipsaceæ... .. (Teasel).....	1	1
55	Compositæ... .. (Composite).....	40	100
56	Lobeliaceæ... .. (Lobelia).....	1	6
57	Campanulaceæ ... (Campanula).....	2	5
58	Ericaceæ... .. (Heath).....	11	22

Order.	Family.	No. of genera.	No. of species.
61	Primulaceæ... .. (Primrose).....	4	7
65	Oleaceæ... .. (Olive).....	3	6
66	Apocynaceæ... .. (Dogbane).....	1	2
67	Asclepiadaceæ... .. (Milkweed).....	3	8
69	Gentianaceæ... .. (Gentian).....	2	5
70	Polemoniaceæ... (Polemonium).....	2	2
71	Hydrophyllaceæ... .. (Waterleat).....	1	2
72	Borraginaceæ... .. (Borage).....	6	12
73	Convolvulaceæ... (Convolvulus).....	2	3
74	Solanaceæ... .. (Nightshade).....	6	12
75	Scrophulariaceæ... .. (Figwort).....	14	28
76	Orobanchaceæ... (Broom-Rape).....	3	3
77	Lentibulariaceæ, (Bladderwort).....	1	3
79	Pedaliaceæ... ..	1	1
80	Acanthaceæ... .. (Acanthus).....	1	1
81	Verbenaceæ... .. (Vervain).....	2	3
82	Labiataæ... .. (Mint).....	17	25
83	Plantaginaceæ... .. (Plantain).....	1	3
86	Amarantaceæ... .. (Amaranth).....	1	3
87	Chenopodiaceæ... (Goosefoot).....	3	8
88	Phytolaccaceæ... .. (Pokeweed).....	1	1
59	Polygonaceæ... .. (Buckwheat).....	3	19
91	Aristolochiaceæ... .. (Birthwort).....	1	1
92	Piperaceæ... .. (Pepper).....	1	1
93	Lauraceæ... .. (Laurel).....	2	2
94	Thymelæace... .. (Mezereum).....	1	1
95	Elæagnaceæ... .. (Oleaster).....	1	1
97	Santalaceæ... .. (Sandalwood).....	1	1
98	Euphorbiaceæ... .. (Spurge).....	2	6
99	Urticaceæ... .. (Nettle).....	8	11
100	Platanaceæ... .. (Plane-Tree).....	1	1
101	Juglandaceæ... .. (Walnut).....	2	7
103	Cupuliferæ... .. (Oak).....	7	17
104	Salicaceæ... .. (Willow).....	2	11
106	Ceratophyllaceæ... (Hornwort).....	1	1
107	Coniferæ... .. (Pine).....	8	11
108	Hydrocharidaceæ, (Frog's-Fit)....	3	3
110	Orchidaceæ... .. (Orchid).....	10	21
113	Iridaceæ... .. (Iris).....	2	2
114	Amaryllidaceæ... .. (Amaryllis).....	1	1
115	Dioscoreaceæ... .. (Yam).....	1	1
116	Liliaceæ... .. (Lily).....	11	25
117	Pontederiaceæ... .. (Picker-Weed).....	2	2
121	Juncaceæ... .. (Rush).....	2	12
122	Typhaceæ... .. (Cat-Tail).....	2	4
123	Araceæ... .. (Arum).....	2	2
125	Alismaceæ... .. (Water-Plantain).....	3	6
126	Naiadaceæ... .. (Pondweed).....	2	10
128	Cyperaceæ... .. (Sedge).....	6	58
129	Gramineæ... .. (Grass).....	28	52
130	Equisetaceæ... .. (Horsetail).....	1	7
131	Filicesæ... .. (Ferns).....	14	33

Order.	Family.	No. of genera.	No. of species.
132	Ophioglossaceæ.....		
	.....(Adder's Tongue).....	1	7
133	Lycopodiaceæ... ..(Club-Moss).....	1	3
134	Selaginellaceæ.....	2	2
	.....(Scale-Mosses)		
137	Jungermanniaceæ.....	11	12
138	Marchantiaceæ... ..(Liverwort).....	3	3
139	Musci	34	89
140	Lichens	18	41

Order 1. RANUNCULACEÆ. Crowfoot Family.

Clematis.

Clematis VirginianaVirgin's Bower.

Anemone.

Anemone cylindricaLong-fruited Anemone.
Anemone nemorosaWood Anemone or Wind-flower.
Anemone dichotomaAnemone.

Hepatica.—Liver Leaf.

Hepatica trilobaRound-lobed Hepatica.
Hepatica acutilobaSharp-lobed Hepatica.

Thalictrum.—Meadow Rue.

Thalictrum anemonoidesRue Anemone.
Thalictrum polygamumMeadow Rue.
Thalictrum dioicumEarly Meadow Rue.

Ranunculus.—Crowfoot, Buttercup.

Ranunculus aquatilis var trichophyllusWater Crowfoot.
Ranunculus sceleratusCursed Crowfoot.
Ranunculus recurvatusHooked Crowfoot.
Ranunculus PennsylvanicusBristly Crowfoot.
Ranunculus fascicularisEarly Crowfoot.
Ranunculus repensCreeping Crowfoot.
Ranunculus acrisButtercup Crowfoot.
Ranunculus Flammula var reptans..Creeping Crowfoot.

Caltha.—Marsh Marigold.

Caltha palustrisMarch marigold.

Coptis.—Gold Thread.

Coptis trifoliaThree-leaved Gold thread.

Aquilegia.—Columbine.

Aquilegia CanadensisWild Columbine.

Cimicifuga.—Bugbane.

Cimicifuga racemosa Black Snakeroot.

Actæa.—Baneberry.

- Actæa spicata var rubra Red Baneberry.
 Actæa alba White Baneberry.

Hydrastis.—Orange Root.

- Hydrastis Canadensis Golden Seal.

Order 2. MAGNOLIACEÆ.—Magnolia Family.

Magnolia.

- Magnolia acuminata Cucumber Tree.
 Magnolia umbrella Umbrella Tree.

Liriodendron.

- Liriodendron tulipifera Tulip tree.

Order 3. ANONACEÆ—Custard Apple Family.

Asimina.—North American Papaw.

- Asimina triloba Papaw tree.

Order 4. MENISPERMACEÆ.—Moonseed Family.

Menispermum.

- Menispermum Canadense Moonseed.

Order 5. BERBERIDACEÆ.—Barberry Family.

Berberis.

- Berberis vulgaris Common barberry.

Caulophyllum.

- Caulophyllum thalictroides Blue cohosh or Pappoose-root.

Jeffersonia.

- Jeffersonia diphylla Twin leaf.

Podophyllum.

- Podophyllum peltatum May apple.

Order 6. NYMPHÆACEÆ.—Water Lily Family.

Nymphæa.

- Nympha odorata Sweet scented water lily.

Nuphar.

- Nuphar advena Yellow water lily.

- Nuphar pumilum Small yellow water lily.

Order 7.—SARRACENIACEÆ.—Pitcher Plant Family.

Sarracenia.

- Sarracenia purpurea Side saddle flower.

Order 8. PAPAVERACEÆ—Poppy Family.

Sanguinaria.

Sanguinaria Canadensis Bloodroot.

Chelidonium.

Chelidonium majus Celandine.

Papaver.

Papaver somniferum Common poppy.

Order 9.—FUMARIACEÆ.—Fumitory Family.

Dicentra.

Dicentra Cucullaria Dutchman's breeches.

Dicentra Canadensis Squirrel corn.

Order 10.—CRUCIFERÆ.—Mustard Family.

Dentaria.—Toothwort.

Dentaria diphylla Toothwort pepper root.

Dentaria laciniata Toothwort pepper root.

Cardamine.—Bitter Cress.

Cardamine rhomboidea Spring cress.

Cardamine rhomboidea var purpur-

ea Spring cress.

Cardamine hirsuta Small bitter cress.

Arabis.—Rock Cress.

Arabis lyrata Rock cress.

Arabis confinis Rock cress.

Arabis hirsuta Rock cress.

Arabis lævigata Rock cress.

Arabis Canadensis Sickly pod.

Arabis perfoliata Tower Mustard.

Alyssum.

Alyssum calycinum Yellow alyssum.

Lunaria.—Satin Flower.

Lunaria biennis Honesty.

Camelina.

Camelina sativa False flax.

Nasturtium.

Nasturtium officinale True water cress.

Nasturtium palustre Marsh cress.

Nasturtium palustre var hispidum.. Marsh cress.

Nasturtium armoraciaHorse radish.

Barbarea.—Winter Cress.

Barbarea vulgarisCommon winter cress.

Barbarea vulgaris var *stricta*Common winter cress.

Hesperis.—Rocket.

Hesperis matronalisDame's Violet.

Erysimum.—Treacle Mustard.

Erysimum cheiranthoidesWorm seed mustard.

Sisymbrium.

Sisymbrium officinaleHedge mustard.

Brassica.

Brassica sinapistrum or *sinapis arvensis*English charlock.

Brassica (or *sinapis*) *nigra*Black mustard.

Brassica rapaTurnip.

Capsella.

Capsella Bursa-pastorisShepherd's purse.

Thlaspi.

Thlaspi arvensePenny cress.

Lepidium.—Pepperwort.

Lepidium intermediumWild pepper grass.

Lepidium campestrePepperwort pepper grass.

Cakile.

Cakile AmericanaAmerican sea rocket.

Raphanus.

Raphanus sativusGarden radish.

Order 11. CAPPARIDACEÆ.—Caper Family.

Polanisia.

Polanisia graveolensPolanisia.

Order 13. CISTACEÆ.—Rock Rose Family.

Helianthemum CanadenseFrost weed.

Order 14. VIOLACEÆ.—Violet Family.

Viola.—Heart's-ease.

Viola rotundifoliaRound-leaved violet.

Viola lanceolataLance-leaved violet.

<i>Viola blanda</i>	Sweet white violet.
<i>Viola odorata</i>	Sweet or English violet.
<i>Viola palustris</i>	Marsh violet.
<i>Viola palmata</i> var <i>cucullata</i>	Common blue violet.
<i>Viola canina</i> var <i>sylvestris</i>	Dog violet.
<i>Viola rostrata</i>	Long-spurred violet.
<i>Viola Canadensis</i>	Canada violet.
<i>Viola pubescens</i>	Downy yellow violet.
<i>Viola eriocephalus</i>	
<i>Viola tricolor</i>	Pansy or heartease.

Solea.

<i>Solea concolor</i>	Green violet.
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Order 15. CARYOPHYLLACEÆ.—Pink Family.

Dianthus.—Carnation.

<i>Dianthus armeria</i>	Deptford pink.
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Saponaria.—Soapwort.

<i>Saponaria officinalis</i>	Bouncing Bet.
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Silene.

<i>Silene antirrhina</i>	Sleepy catchfly.
<i>Silene stellata</i>	Starry campion.

Lychnis.—Cockle.

<i>Lychnis vespertina</i>	Evening lychnis.
<i>Lychnis Githago</i>	Corn cockle.
<i>Lychnis diurna</i>	Ragged Robin.

Arenaria.—Sandwort.

<i>Arenaria serpyllifolia</i>	Thyme leaved sandwort.
<i>Arenaria lateriflora</i>	Sandwort.

Stellaria.

<i>Stellaria media</i>	Common chickweed.
<i>Stellaria longifolia</i>	Long-leaved stitchwort.
<i>Stellaria longipes</i>	Long-stalked stitchwort.

Cerastium.

<i>Cerastium vulgatum</i>	Mouse-ear chickweed.
<i>Cerastium viscosum</i>	Larger mouse-ear chickweed.
<i>Cerastium nutans</i>	Annual chickweed.
<i>Cerastium arvense</i>	Field chickweed.

Order 16. PORTULACACEÆ—Purslane Family.

Portulaca.

<i>Portulaca oleracea</i>	Common purslane.
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Claytonia.—Spring Beauty.

<i>Claytonia Virginica</i>	Narrow-leaved spring beauty.
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Claytonia Caroliniana Broad-leaved spring beauty.

Order 18. HYPERICACEÆ.—St. John's Wort Family.

Hypericum.

Hypericum Kalmianum Kalm's St. John's wort.
 Hypericum perforatum Common St. John's wort.
 Hypericum mutilum Hypericum.
 Hypericum maculatum Hypericum, Corymbed.
 Hypericum Canadense Hypericum.
 Hypericum Canadense var majus Hypericum.

Elodes.

Elodes Virginica or campanulata ... Marsh St. John's wort.

Order 20. MALVACEÆ.—Mallow Family.

Malva.—Mallow.

Malva rotundifolia Common mallow.
 Malva moschata Musk mallow.

Abutilon.—Indian Mallow.

Abutilon Avicennæ... Velvet leaf.

Hibiscus.—Rose Mallow.

Hibiscus Trionum Bladder ketmia.
 Hibiscus moscheutos Swamp Rose mallow.

Order 21. TILIACEÆ.—Linden Family.

Tilia.—Linden or Basswood.

Tilia Americana Basswood.
 Tilia Europæa European linden.

Order 21. LINACEÆ.—Flax Family.

Linum.

Linum striatum Flax.
 Linum usitatissimum Commoo flax.
 Linum Virginianum Flax.

Order 23. GERANIACEÆ.—Geranium Family.

Geranium.

Geranium maculatum Wild cranesbill.
 Geranium pusillum Small flowered cranesbill.
 Geranium Robertianum Herb Robert.

Flœrkea.

Flœrkea proserpinacoides False mermaid.

Oxalis.—Wood Sorrel.

Oxalis corniculata, var stricta Yellow wood sorrel.

Impatiens.—Balsam Jewel Weed.

Impatiens pallidaPale touch-me-not.

Impatiens fulvaSpotted touch-me-not.

Order 24. RUTACEÆ.—Rue Family.

Zanthoxylum.—Prickly Ash.

Zanthoxylum AmericanumNorthern Prickly Ash.

Ptelea.—Shrubby Trefoil or Hop tree.

Ptelea trifoliataHop tree.

Ailanthus glandulosusTree of Heaven.

Order 25. ILICINEÆ.—Holly Family.

Ilex.—Holly.

Ilex verticillataBlack alder. Winterberry.

Order 26. CELASTRACEÆ.—Star Tree Family.

Celastrus.—Shrubby Bitter Sweet.

Celastrus scandensWax work or climbing bitter sweet.

Euonymus.

Euonymus atropurpureusBurning Bush.

Euonymus Americanus, var obovat-

.....Trailing euonymus.

Order 27 RHAMNACEÆ.—Buckthorn Family.

Ceanothus.—Red-root.

Ceanothus AmericanusNew Jersey tea.

Order 28. VITACEÆ.—Vine Family.

Vitis.—Grape.

Vitis æstivalisSummer grape.

Vitis ripariaFrost grape.

Ampelopsis.—Virginian Creeper.

Ampelopsis quinquefoliaVirginian creeper.

Order 29. SAPINDACEÆ.—Soapberry Family.

Æsculus.

Æsculus HippocastanumCommon horse-chestnut.

Acer.—Maple.

Acer spicatumMountain maple.

Acer saccharinumSugar or rock maple.

Acer dasycarpumWhite or silver maple.

Acer rubrumRed or swamp maple.

Negundo.—Ash Leaved Maple or box-elder.

Negundo aceroidesBox elder.

Staphylea.

Staphylea trifoliaAmerican bladder nut.

Order 30. ANACARDIACEÆ.—Cashew Family.

Rhus.—Sumach.

Rhus typhinaStag horn sumach.

Rhus glabraSmooth sumach.

Rhus venenataPoison sumach, or dogwood.

Rhus toxicodendronPoison ivy, or poison oak.

Rhus aromaticaFragrant sumach.

Rhus toxicodendron var radicans ...Poison ivy.

Order 31. POLYGALACEÆ.—Milkwort Family.

Polygala.

Polygala verticillataMilk wort.

Polygala senegaSeneca snakeroot.

Order 32. LEGUMINOSÆ.—Pulse Family.

Lupinus.—Lupine.

Lupinus perennisWild lupine.

Trifolium.—Clover.

Trifolium arvenseRabbit Foot Clover.

Trifolium pratenseRed Clover.

Trifolium repensWhite clover.

Trifolium agrariumYellow or hop clover.

Trifolium procumbensLow hop clover.

Trifolium hybridumAlsike.

Melilotus.—Sweet Clover.

Melilotus officinalisYellow meliot.

Melilotus albaWhite meliot.

Medicago.—Medick.

Medicago savitaLucerne.

Medicago lupulinaBlack medick, or nonesuch.

Robinia.—Locust Tree.

Robinia PseudacaciaCommon locust or false Acacia.

Robinia viscosaClammy locust.

Astragalus.

Astragalus CanadensisTall milk vetch.

Astragalus CooperiDowny milk vetch.

Glycyrrhiza.

Glycyrrhiza lepidotaWild liquorice.

Desmodium.—Tick Trefoil.

Desmodium nudiflorum	Tick trefoil.
Desmodium acuminatum	Tick trefoil.
Desmodium rotundifolium	Tick trefoil.
Desmodium cuspidatum	Tick trefoil.
Desmodium paniculatum.....	Tick trefoil.
Desmodium Canadense	Tick trefoil.
Desmodium rigidum	Tick trefoil.

Lespedeza.

Lespedeza reticulata	Bush clover.
Lespedeza hirta	Bush clover.

Vicia.—Vetch. Tare.

Vicia Cracca	Vetch.
Vicia Caroliniana.....	Vetch.
Vicia Americana	Vetch.

Lathyrus.—Everlasting Pea.

Lathyrus ochroleucus	Vetchling.
Lathyrus palustris	Marsh vetchling.
Lathyrus palustris var myrtifolius..	

Apios.—Wild Bean.

Apios tuberosa	Ground nut.
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Phaseolus.

Phaseolus diversifolius	Kidney bean.
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Amphicarpæa.—Hog Peanut.

Amphicarpæa moncica	Hog peanut.
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Gymnocladus.

Gymnocladus Canadensis	Kentucky coffee tree.
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Gleditschia.

Gleditschia triacanthus	Honey locust.
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Order 33.—ROSACEÆ. — Rose Family.

Prunus.—Plum, Cherry, etc.

Prunus Americana	Wild yellow or red plum.
Prunus Pennsylvanica	Wild red cherry.
Prunus Virginiana	Choke Cherry.
Prunus serotina	Wild black cherry.
Prunus cerasus	Black choke cherry.

Spiræa.—Meadow Sweet.

Spiræa opulifolia	Nine bark.
Spiræa salicifolia	Meadow sweet.

Rubus.—Bramble.

Rubus odoratus	Purple flowering raspberry.
Rubus triflorus	Dwarf raspberry.
Rubus strigosus	Wild red raspberry.
Rubus occidentalis	Black raspberry.
Rubus villosus	High blackberry.
Rubus Canadensis	Low blackberry.
Rubus hispidus	Running swamp blackberry.

Dalibarda.

Dalibarda repens	Dalibarda.
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Geum.—Avens.

Geum album	Avens.
Geum strictum	Avens.
Geum rivale	Purple Avens.
Geum Virginianum	Bristly Avens.

Waldsteinia.

Waldsteinia fragarioides	Barren strawberry.
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Fragaria.

Fragaria Virginiana	Wild strawqerry.
Fragaria vesca	Wild strawberry.

Potentilla.—Cinque-foil, Five Finger.

Potentilla Canadensis	Cinque foil.
Potentilla Canadensis var simplex...	Five finger.
Potentilla argentea	Five finger.
Potentilla recta	Five finger.
Potentilla Anserina	Silver weed.
Potentilla palustris	Marsh five finger.

Agrimonia.

Agrimonia Eupatoria	Common agrimony.
Agrimonia parviflora	Small flowered agrimony.

Rosa.—Rose.

Rosa Carolina	Swamp rose.
Rosa blanda	Early wild rose.
Rosa rubiginosa	Sweet brier.
Rosa micrantha	Smaller sweet brier.
Rosa humilis	Sweet brier.

Pyrus.—Pear. Apple.

Pyrus malus	Apple.
Pyrus communis	Pear.
Pyrus coronaria	Wild Crab apple.
Pyrus arbutifolia	Chokeberry.
Pyrus Americana	Mountain Ash.
Pyrus Aucuparia	European rowan tree.

Cratægus.—Hawthorn.

- Cratægus Oxyacantha English hawthorn.
 Cratægus coccinea var macracantha Large spurred thorn.
 Cratægus coccinea Scarlet fruited thorn.
 Cratægus Crusgalli Cockspur thorn.
 Cratægus punctata Yellow fruited thorn.

Amelanchier.

- Amelanchier Canadensis Shad bush. Service berry.
 Amelanchier Canadensis, var rotundifolia Round-leaved amelanchier.
 Amelanchier, Canadensis, var oblongifolia Juneberry.

Order 35. SAXIFRAGACEÆ.—Saxifrage Family.

Saxifraga.

- Saxifraga Virginiensis Early saxifrage.

Tiarella.

- Tiarella cordifolia False mitrewort.

Mitella.

- Mitella diphylla Mitrewort.
 Mitella nuda Mitrewort.

Chrysosplenium.

- Chrysosplenium Americanum Golden saxifrage.

Parnassia.

- Parnassia Caroliniana Grass of Parnassus.

Ribes.—Currant, Gooseberry.

- Ribes Cynosbati Wild gooseberry.
 Ribes prostratum Field currant.
 Ribes floridum Wild black currant.
 Ribes rubrum Red currant.
 Ribes aureum Buffalo currant.
 Ribes oxycanthoides Swamp gooseberry.

Order 36. CRASSULACEÆ.—Orpine Family.

Penthorum.

- Penthorum sedoides Ditch stone-crop.

Sedum.

- Sedum acre* Mossy stone-crop.
Sedum Telephium Garden orpine or live-for-ever.

Order 38. HAMAMELIDEÆ.—Witch Hazel Family.

Hamamelis.

- Hamamelis Virginiana* Witch hazel.

Order 39. HALORAGEÆ.—Water Milfoil Family.

Myriophyllum.

- Myriophyllum heterophyllum* Water milfoil.
Myriophyllum spicatum Water milfoil.
Myriophyllum verticillatum Water milfoil.

Order 41. LYTHRACEÆ.—Loosestrife Family.

Lythrum.

- Lythrum Salicaria* Spiked loosestrife.

Decodon.

- Decodon verticillata* (or *nesæa verticillata*) Swamp loosestrife.

Order 42. ONAGRACEÆ.—Evening Primrose Family.

Ludwigia.—False Loosestrife.

- Ludwigia palustris* Water purslane.

Epilobium.—Willow Herb.

- Epilobium spicatum* Great willow herb.
Epilobium hirsutum Hairy willow herb.
Epilobium lineare Swamp willow herb.
Epilobium adenocaulon Common willow herb.

Oenothera.

- Oenothera biennis* Evening primrose.
Oenothera pumila Small evening primrose.

Gaura.

- Gaura biennis* Gaura.

Cirœa.—Enchanter's Nightshade.

- Cirœa Lutetiana* Tall Enchanter's nightshade.
Cirœa alpina Low Enchanter's nightshade.

Order 47. FICOIDEÆ.—Ice Plant Family.

Mollugo.—Indian Chickweed.

- Mollugo verticillata* Carpet weed.

Order 48. UMBELLIFERÆ.—Parsley Family.

Daucus.

Daucus Carota Carrot.

Angelica.

Angelica atropurpurea Great Angelica.

Conioselinum.

Conioselinum Canadense Hemlock parsley.

Heracleum.

Heracleum lanatum Cow parsnip.

Pastinaca.

Pastinaca sativa Common parsnip.

Thaspium.

Thaspium barbinode Meadow parsnip.

Thaspium aureum Golden meadow parsnip.

Cryptotænia.

Cryptotænia Canadensis Honewort.

Sium.

Sium cicutæfolium Water parsnip.

Zizia.

Zizia integerrima Zizia.

Cicuta.—Water-Hemlock.

Cicuta maculata Spotted cowbane, or beaver poison.

Cicuta bulbifera Cowbane.

Conium.

Conium maculatum Poison hemlock.

Osmorrhiza.—Sweet Cicely.

Osmorrhiza longistylis Smooth sweet cicely.

Osmorrhiza brevistylis Hairy sweet cicely.

Hydrocotyle.

Hydrocotyle Americana Water Pennywort.

Sanicula.

Sanicula Canadensis Canadian black snakeroot.

Sanicula Marylandica Black snakeroot.

Order 49. ARALIACEÆ.—Ginseng Family.

Aralia.—Wild Sarsaparilla.

- Aralia spinosa* Angelica tree, or Hercules club.
Aralia racemosa Spikenard.
Aralia nudicaulis Wild Sarsaparilla.
Aralia quinquefolia Ginseng.
Aralia tritolia Dwarf ginseng, ground nut.

Order 50. CORNACEÆ.—Dogwood Family.

Cornus.—Dogwood.

- Cornus Canadensis* Dwarf cornel.
Cornus florida Flowering dogwood.
Cornus circinata Round leaved dogwood.
Cornus sericea Silky cornel.
Cornus stolonifera Red osier dogwood.
Cornus asperifolia Rough leaved dogwood.
Cornus paniculata Panicked cornel.
Cornus alternifolia Alternate leaved cornel.

Nyssa.—Sour Gum Tree.

- Nyssa sylvatica* Pepperidge, or sour gum.

Order 51. CAPRIFOLIACEÆ.—Honeysuckle Family.

Sambucus.—Elder.

- Sambucus Canadensis* Common elder.
Sambucus pubens, or *racemosa* Red berried elder.

Viburnum.—Arrow Wood.

- Viburnum Lentago* Sheep berry.
Viburnum dentatum Arrow wood.
Viburnum cassinoides Withe rod.
Viburnum pubescens Downy arrow wood.
Viburnum acerifolium Maple leaved arrowwood.
Viburnum Opulus Cranberry tree.

Triosteum.—Horse Gentian.

- Triosteum perfoliatum* Horse gentian.

Symphoricarpus.—Snowberry.

- Symphoricarpus vulgaris* Indian currant.
Symphoricarpus racemosa Snowberry.
Symphoricarpus racemosus, var
pauciflorus Low snowberry.

Lonicera.—Honeysuckle, Woodbine.

- Lonicera sempervirens* Trumpet honeysuckle.
Lonicera parviflora Small honeysuckle.
Lonicera hirsuta Hairy honeysuckle.
Lonicera ciliata Fly honeysuckle.
Lonicera Tartarica Tartarian honeysuckle.
Lonicera glauca Glaucous leaved honeysuckle.

Diervilla.

Diervilla trifida Bush honeysuckle.

Order 52. RUBIACEÆ.—Madder Family.

Houstonia.

Houstonia purpurea, var ciliolata... Houstonia.

Cepha anthus.

Cephalanthus occidentalis Button bush.

Mitchella.

Mitchella repens Partridge berry.

Galium.—Bedstraw.

Galium Aparine Cleavers, or goose grass.

Galium asprellum Rough bedstraw.

Galium trindum Small bedstraw.

Galium trifedum, var tinctorium ... Bedstraw.

Galium triflorum Sweet-scented bedstraw.

Galium pilosum Bedstraw.

Galium circæzans Wild liquorice.

Galium lanceolatum Wild liquorice.

Galium boreale Northern bedstraw.

Galium verum Yellow bedstraw.

Order 53. VALERIANACEÆ.—Valerian Family.

Valeriana.

Valeriana officinale Valerian.

Order 54. DIPSACEÆ.—Teasel Family.

Dipsacus sylvestris Wild teasel.

Order 55. COMPOSITÆ.—Composite Family.

Eupatorium.

Eupatorium purpureum Trumpet weed.

Eupatorium perfoliatum Boneset.

Eupatorium ageratoides White snakeroot.

Liastris.

Liastris cylindracea Blazing star.

Solidago.

Solidago squarrosa Golden rod.

Solidago bicolor Golden rod.

Solidago latifolia Golden rod.

Solidago cæsia Golden rod.

Solidago juncea Golden rod.

Solidago patula Golden rod.

Solidago rugosa Golden rod.

Solidago Canadensis Golden rod.

<i>Solidago lanceolata</i>	Golden rod.
<i>Solidago nemoralis</i>	Golden rod.
<i>Solidago neglecta</i>	Golden rod.
<i>Solidago arguta</i>	Golden rod.
<i>Solidago serotina</i>	Golden rod.

Bellis.

<i>Bellis perennis</i>	Daisy.
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Sericocarpus.

<i>Sericocarpus solidagineus</i>	White topped aster.
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Aster.

<i>Aster corymbosus</i>	Starwort.
<i>Aster macrophyllus</i>	Starwort.
<i>Aster umbellatus</i>	Starwort.
<i>Aster lævis</i>	Starwort.
<i>Aster undulatus</i>	Starwort.
<i>Aster cordifolius</i>	Starwort.
<i>Aster sagittifolius</i>	Starwort.
<i>Aster diffusus</i>	Starwort.
<i>Aster paniculatus</i>	Starwort.
<i>Aster puniceus</i>	Starwort.
<i>Aster Novæ Angliæ Tradescanti</i> ...	Starwort.

Erigeron.—Fleabane.

<i>Erigeron bellidifolius</i>	Robin's plantain.
<i>Erigeron Philadelphicus</i>	Common fleabane.
<i>Erigeron Canadensis</i>	Fleabane.
<i>Erigeron annuus</i>	Daisy fleabane.
<i>Erigeron strigosus</i>	Daisy fleabane.

Antennaria.

<i>Antennaria plantaginifolia</i>	Plantain leaved everlasting.
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Anaphalis.

<i>Anaphalis margaritacea</i>	Pearly everlasting.
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Gnaphalium.—Cudweed.

<i>Gnaphalium polycephalum</i>	Common everlasting.
<i>Gnaphalium uliginosum</i>	Low cudweed.
<i>Gnaphalium decurrens</i>	Everlasting.

Inula.

<i>Inula Helenium</i>	Elecampane.
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Polymnia.

<i>Polymnia Canadensis</i>	Leaf cup.
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Ambrosia.

<i>Ambrosia artemisiæfolia</i>	Bitter weed.
<i>Ambrosia trifida</i>	Great rag weed.

Xanthium.

Xanthium Canadense Cockle bur.

Heliopsis.

Heliopsis scabra Ox-eye.

Rudbeckia.

Rudbeckia laciniata Cone flower.

Rudbeckia hirta Cone flower.

Helianthus.

Helianthus annuus Sunflower.

Helianthus strumosus Sunflower.

Helianthus divaricatus Sunflower.

Helianthus decapetalus Sunflower.

Helianthus grosse serratus Sunflower.

Helianthus rigidus Sunflower.

Coreopsis.

Coreopsis trichosperma Tickseeds, sunflower.

Fidens.—Bur Marigold.

Bidens frondosa Beggar ticks.

Bidens connata Swamp beggar ticks.

Bidens cernua Smaller bur marigold.

Bidens chrysanthemoides Larger bur marigold.

Bidens beckii Water marigold.

Helenium.

Helenium autumnale Sneeze weed.

Anthemis.—Chamomile.

Anthemis Cotula May weed.

Achillea.

Achillea Millefolium Yarrow.

Chrysanthemum.

Chrysanthemum Leucanthemum Ox-eye or white daisy.

Tanacetum.

Tanacetum vulgare Tansy.

Artemisia.

Artemisia Canadensis Mugwort.

Artemisia Absinthium Wormwood.

Artemisia biennis Biennial wormwood.

Artemisia vulgaris Common Mugwort.

Senecio.—Groundsel.

Senecio aureus Golden ragwort.

Senecio aureus, var *balsamitæ* Squaw weed.
Senecio vulgaris Common groundsel.

Tussilago.

Tussilago Farfara Colts foot.

Erechthites.

Erechthites hieracefolia Fireweed.

Arctium.---Burdock.

Arctium Lappa Common burdock.

Cnicus.—Common or Plumed Thistle.

Cnicus altrosemus var *discolor* Thistle.

Cnicus lanceolatus Pasture thistle.

Cnicus arvensis Canada thistle.

Centaurea.

Centaurea cyanus Bluebottle.

Lampsana.

Lampsana communis Nipplewort.

Cichorium.

Cichorium Intybus Succory or chicory.

Tragopogon.—Goat's Beard.

Tragopogon porrifolius Oyster plant, salisfy.

Leontodon.

Leontodon autumnalis Fall dandelion.

Picris.

Picris hieracioides.

Hieracium.

Hieracium Canadense Canada hawkweed.

Hieracium scabrum Rough hawkweed.

Hieracium venosum Rattlesnake weed.

Hieracium paniculatum Panicked hawkweed.

Hieracium marianum Hawkweed.

Hieracium aurantiacum Hawkweed.

Hieracium var *subcanlescens* Rattlesnake weed.

Prenanthes.

Prenanthes alba White lettuce, rattlesnake root.

Prenanthes altissimas Tall white lettuce.

Taraxacum.—Dandelion.

Taraxacum officinale Common dandelion.

6Lactuca.—Lettuce.

Lactuca Canadensis	Wild lettuce.
Lactuca Scariola	Prickly lettuce.
Lactuca leucophæa	False or blue lettuce.

Sonchus.

Sonchus oleraceus	Common sow thistle.
Sonchus asper	Spiny-leaved sow thistle.
Sonchus arvensis	Field sow thistle.

Order 56. LOBELIACEÆ.—Lobelia Family.

Lobelia.

Lobelia cardinalis	Cardinal flower.
Lobelia syphilitica	Great Lobelia.
Lobelia inflata	Indian tobacco.
Lobelia Kalmii	Kalm's Lobelia.
Lobelia Kalmii var alba	White Kalm's Lobelia.
Lobelia syphilitica alba	Great White Lobelia.

Order 57. CAMPANULACEÆ.—Campanula Family.

Specularia.

Specularia perfoliata	Venus' looking-glass.
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Campanula.—Belle Flower.

Campanula rotundifolia	Harebell.
Campanula aparinoides	Marsh bellflower.
Campanula Americana	Tall bellflower.
Campanula rapunculoides	Bellflower.

Order 58. ERICACEÆ.—Heath Family.

Gaylussacia.

Gaylussacia resinosa	Black huckleberry.
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Vaccinium.

Vaccinium	Deerberry or squaw huckleberry.
Vaccinium corymbosum	Swamp blueberry.
Vaccinium Pennsylvanicum	Dwarf blueberry.
Vaccinium Canadense	Common blueberry.
Vaccinium vacillans	Low blueberry.

Chiogenes.

Chiogenes hispidula	Creeping snowberry.
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Arctostaphylos.

Arctostaphylos Uva-ursi	Bear berry.
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Gaultheria.

Gaultheria procumbens	Creeping wintergreen.
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Cassandra.

Cassandra calyculataLeather leaf.

Chimaphila.

Chimaphila umbellataPrincess pine.

Chimaphila maculataSpotted wintergreen.

Moneses.

Moneses unifloraOne-flowered pyrola.

Pyrola.—Wintergreen.

Pyrola rotundifoliaPyrola.

Pyrola rotundifolia, var incarnata..Pyrola.

Pyrola rotundifolia, var asarifolia..Pyrola.

Pyrola ellipticaShin leaf.

Pyrola chloranthaPyrola.

Pyrola secundaPyrola.

Pterospora.

Pterospora andromedaPine-drops.

Monotropa.

Monotropa unifloraIndian pipe, corpse plant.

Monotropa HypopitysPine cap, false beech-drops.

Order 61. PRIMULACEÆ.—Primrose Family.

Trientalis.—Chickweed. Wintergreen.

Trientalis AmericanaStar flower.

Steironema.

Steironema ciliatumLoosestrife.

Steironema longifoliumLoosestrife.

Lysimachia.—Loosestrife.

Lysimachia thyrsifloraTufted loosestrife.

Lysimachia strictaLoosestrife.

Lysimachia nummulariaMoneywort.

Samolus.

Samolus Valenderi, var Americanus.Water pimpernel.

Order 65. OLEACEÆ.—Olive Family.

Fraxinus.

Fraxinus AmericanaWhite ash.

Fraxinus excelsiorEuropean ash.

Fraxinus pubescensRed ash.

Fraxinus sambucifoliaBlack or water ash.

Ligustrum.

Ligustrum vulgarePrivet or prim.

Syringa.

Syringa vulgaris Lilac.

Order 66. APOCYNACEÆ.—Dogbane Family.

Apocynum.

Apocynum cannabinum Indian hemp.
Apocynum androsaemifolium Spreading dogbane.

Order 67. ASCLEPIADACEÆ.—Milkweed Family.

Asclepias.—Milkweed. Silkweed.

Asclepias Cornuti Common milkweed.
Asclepias phytolaccoides Poke milkweed.
Asclepias quadrifolia Milkweed.
Asclepias incarnata Swamp milkweed.
Asclepias tuberosa Butterfly weed.
Asclepias verticillata Milkweed.

Aceratus.

Aceratus viridiflora Green milkweed.

Vincetoxicum.

Vincetoxicum nigrum Climbing poison.

Order 69. GENTIANACEÆ.—Gentian Family.

Frasera.

Frasera Carolinensis American Columbo.

Gentiana.

Gentiana crinita Fringed gentian.
Gentiana serrata Small fringed gentian.
Gentiana Andrewsii Closed gentian.
Gentiana Alba White closed gentian.

Order 70. POLEMONIACEÆ.—Polemonium Family.

Polemonium.

Polemonium reptans Greek valerian.

Phlox.

Phlox divaricata Wild phlox.

Order 71. HYDROPHYLLACEÆ.—Waterleaf Family.

Hydrophyllum.

Hydrophyllum Virginicum Waterleaf.
Hydrophyllum Canadense Waterleaf.

Order 72. BORRAGINACEÆ.—Borage Family.

Cynoglossum.—Hound's tongue.

Cynoglossum officinale Common hound's tongue.

Cynoglossum Virginicum Wild comfrey.

Echinosperrum.

Echinosperrum Lappula Stickseed.

Myosotis.

Myosotis palustris True forget me not.

Myosotis laxa Forget me not.

Myosotis arvensis Forget me not.

Myosotis verna Forget me not.

Lithosperrum.

Lithosperrum arvense Corn gromwell.

Lithosperrum officinale Common gromwell.

Lithosperrum hirtum Bristly gromwell.

Lycopsis.

Lycopsis Arvensis Small bugloss.

Echium.

Echium vulgare Blue weed.

Order 73. CONVOLVULACEÆ.—Convolvulus Family.

Convolvulus.

Convolvulus sepium Hedge bindweed.

Convolvulus spithamæus Bindweed.

Cuscuta.

Cuscuta Gronovii Gold thread.

Order 74. SOLANACEÆ.—Nightshade Family.

Solanum.—Nightshade.

Solanum Dulcamara Bitter sweet.

Solanum nigrum Common nightshade.

Solanum rostratum Prickly solanum.

Physalis.

Physalis grandiflora Ground cherry.

Physalis pubescens Ground cherry.

Physalis viscosa ... Ground cherry.

Physalis lanceolata Ground cherry.

Nicandra.

Nicandra physaloides Apple of Peru.

Hyoscyamus.

Hyoscyamus niger Black henbane.

Dathura.

Datura Stramonium Thorn apple.

Datura Tatula Purple thorn apple.

Nicotiana.

Nicotiana rustica Wild tobacco.

Order 75. SCROPHULARIACEÆ.—Figwort Family.

Verbascum.

Verbascum Thapsus Common mullein.

Verbascum Blattaria Moth mullein.

Linaria.

Linaria Canadensis Wild toad flax.

Linaria vulgaris Toad flax, Butter and Eggs.

Antirrhinum.

Antirrhinum Orontium Snapdragon.

Scrophularia.

Scrophularia nodosa Figwort.

Chelone.

Chelone glabra Turtlehead.

Pentstemon.

Pentstemon pubescens Beard tongue.

Mimulus.

Mimulus ringens Monkey flower.

Gratiola.

Gratiola Virginiana Hedge hyssop.

Ilysanthes.

Ilysanthes gratioloides False pimpernel.

Veronica.

Veronica Chamædrys Speedwell.

Veronica Americana American brooklime.

Veronica scutellata Marsh speedwell.

Veronica officinalis Common speedwell.

Veronica serpyllifolia Thyme-leaved speedwell.

Veronica peregrina Purslane speedwell.

Veronica arvensis Corn speedwell.

Veronica agrestis Field speedwell.

Gerardia.

- Gerardia purpurea Purple gerardia.
 Gerardia purpurea, var paupercula..Gerardia.
 Gerardia quercifolia Smooth false foxglove.
 Gerardia pedicularia Gerardia.
 Gerardia tenuifolia Slender gerardia. .

Castilleia.

- Castilleia coccinea Scarlet painted cup.

Pedicularis.

- Pedicularis Canadensis Common lousewort. Wood Betony
 Pedicularis lanceolata Lousewort.

Melampyrum.

- Melampyrum Americanum Cow wheat.

Order 76. OROBANCHACEÆ.—Broom Rape Family.

Epiphegus.

- Epiphegus Virginiana Beech-drops. Cancer root.

Conopholis.

- Conopholis Americana Squaw-root. Cancer root.

Aphyllon.

- Aphyllon uniflorum One-flowered cancer root.

Order 77. LENTIBULARIACEÆ.—Bladderwort Family.

Utricularia.

- Utricularia vulgaris Greater bladderwort.
 Utricularia gibba Small bladderwort.
 Utricularia cornuta Bladderwort.

Order 79. PEDALIACEÆ.—Bigonia Family.

Martynia.

- Martynia proboscidea Unicorn plant.

Order 80. ACANTHACEÆ.—Acanthus Family.

Dianthera.

- Dianthera Americana Water willow.

Order 81. VERBENACEÆ—Vervain Family.

Verbena.

- Verbena hastata Blue vervain.
 Verbena urticæfolia White vervain.

Phryma.

Phryma Leptostachya Lopseed.

Order 82. LABIATÆ—Mint Family.

Teucrium.

Teucrium Canadense American Germander. Wood sage.
Teucrium occidentale Germander.

Collinsonia.

Collinsonia Canadensis Horse balm.

Mentha.

Mentha Canadensis Wild Mint.
Mentha viridis Spearmint.
Mentha piperita Peppermint.

Lycopus.

Lycopus Virginicus Bugle Weed.
Lycopus sinuatus Water horehound.

Calamintha.

Calamintha Nuttallii Calaminth.
Calamintha Clinopodium Basil

Melissa. ...

Melissa officinalis Common Balm.

Hedeoma.

Hedeoma pulegioides American Pennyroyal.

Monarda.

Monarda fistulosa Wild bergamot.

Lophanthus.

Lophanthus nepetoides Giant hyssop.

Nepeta.

Nepeta Cataria Catnip.
Nepeta Glechoma Ground ivy.

Scutellaria.

Scutellaria parvula Skullcap.
Scutellaria galericulata Skullcap.
Scutellaria lateriflora Mad-dog skullcap.

Brunella.

Brunella vulgaris Common self-heal, or heal-all.

Physostegia.

Physostegia Virginiana False dragonhead.

Marrubium.

Marrubium vulgare Horehound.

Leonurus.

Leonurus Cardiaca Motherwort.

Galeopsis.

Galeopsis Tetrahit Common hemp nettle.

Stachys.

Stachys palustr Hedge nettle.

Order 83. PLANTAGINACEÆ. — Plantain Family.

Plantago.

Plantago major Common plantain.

Plantago lanceolata Ribgrass, English plantain.

Plantago Rugelii Plantain.

Order 86. AMARANTACEÆ. — Amaranth Family.

Amarantus.

Amarantus retroflexus Pigweed.

Amarantus albus Tumbleweed.

Amarantus blitoides Tumbleweed.

Order 87. CHENOPODIACEÆ. — Goosefoot Family.

Chenopodium.

Chenopodium album Lamb's quarters.

Chenopodium glaucum Oak leaved goosefoot.

Chenopodium Botrys Jerusalem oak.

Chenopodium hybridum Maple leaved goosefoot.

Chenopodium capitatum Strawberry blite.

Atriplex.—Orache.

Atriplex patulum Orache.

Atriplex patulum, var hastatum ... Orache.

Corispermum.

Corispermum hyssopifolium Bugseed.

Order 88. PHYTOLACCACEÆ.—Pokeweed Family.

Phytolacca.

Phytolacca decandra Pigeon berry.

Order 89. POLYGONACEÆ. — Buckwheat Family.

Rumex.

Rumex crispus Curled dock.

Rumex sanguineus Bloody veined dock.

Rumex Acetosella Sheep sorrel.

Polygonum.

Polygonum agnaticum	Water persicaria.
Polygonum Hartwrightii	Knotweed.
Polygonum orientale	Prince's feather.
Polygonum lapathifolium	Knotweed.
Polygonum Hydropiper	Common smartweed, or water pep- per.
Polygonum acre	Water smartweed.
Polygonum Virginianum	Smooth knotweed.
Polygonum aviculare	Common knotgrass.
Polygonum erectum	Knotgrass.
Polygonum arifolium	Halbert leaved tear thumb.
Polygonum sagittatum	Arrow leaved tear thumb.
Polygonum convolvulus	Black bindweed.
Polygonum dumetorum	Climbing false buckwheat.
Polygonum persicaria	Lady's thumb.
Polygonum Pennsylvanicum.	

Fagopyrum.

Fagopyrum esculentum Buckwheat.

Order 91. ARISTOLOCHIACEÆ.—Birthwort Family.

Asarum.

Asarum Canadense Wild ginger.

Order 92. PIPERACEÆ.—Lizard's Tail Family.

Saururus.

Saururus cernuus Lizard's tail.

Order 93. LAURACEÆ.—Laurel Family.

Sassafras.

Sassafras officinale Sassafras.

Lindera.

Lindera Benzoin Wild allspice.

Order 94. THYMELÆACEÆ.—Mezereum Family.

Daphne.

Daphne Mezereum English Daphne.

Order 95. ELÆAGNACEÆ. — Oleaster Family.,

Shepherdia.

Shepherdia Canadensis Canadian shepherdia.

Order 97. SANTALACEÆ.—Sandalwood Family.

Comandra.

Comandra umbellata Bastard toad flax.

Order 98. EUPHORBIACEÆ.—Spurge Family.

Euphorbia.

- Euphorbia glyptosperma Spurge.
 Euphorbia maculata Spurge.
 Euphorbia Helioscopia Spurge.
 Euphorbia platyphylla Spurge.
 Euphorbia polygonifolia Spurge.

Acalyphia.

- Acalypha Virginica Three-seeded mercury.

Order 99. URTICACEÆ — Nettle Family.

Ulmus.

- Ulmus Americana White elm.
 Ulmus fulva Slippery, or red elm.
 Ulmus racemosa Cork elm.

Celtis.

- Celtis occidentalis Nettle tree or sugar berry.

Humulus.

- Humulus Lupulus Common hop.

Morus.

- Morus rubra Red mulberry.
 Morus alba White mulberry.

Urtica.

- Urtica gracilis Nettle.

Laportea.

- Laportea Canadensis Wood nettle.

Pilea.

- Pilea pumila Clearweed.

Boehmeria.

- Boehmeria cylindrica False nettle.

Order 100. PLATANACEÆ.—Plane Tree Family.

Platanus.

- Platanus Occidentalis Sycamore tree.

Order 101. JUGLANDACEÆ.—Walnut Family.

Juglans.

- Juglans cinerea Butternut.
 Juglans nigra Black walnut.
 Juglans regia Madeira nut.

Carya.

Carya alba	Shell bark hickory.
Carya porcina	Pig nut hickory.
Carya amara	Bitter nut hickory.
Carpa tomentosa	White heart or downy hickory.

Order 103. CUPULIFERÆ.—Oak Family.

Betula.

Betula lutea	Yellow birch.
Betula alba	White weeping birch.
Betula papyrifera	Canoe or paper birch.
Betula lenta	Sweet or black birch.

Alnus.

Alnus incana	Speckled alder.
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Ostrya.

Ostrya Virginica	American hop hornbeam.
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Carpinus.

Carpinus Caroliniana	Blue or water beech.
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Quercus.

Quercus alba	White oak.
Quercus bicolor	Swamp white oak.
Quercus Prinus	Chestnut oak.
Quercus Muhlenbergu	Yellow chestnut oak.
Quercus coccinea.	Scarlet oak.
Quercus rubra	Red oak.
Quercus palustris	Swamp pin oak.

Castanea.

Castanea sativa var Americana	American chestnut.
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Fagus.

Fagus ferruginea	American beech.
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Order 104. SALICACEÆ. — Willow Family.

Salix.

Salix discolor	Glaucous willow.
Salix petiolaris	Petioled willow.
Salix alba	White willow.
Salix Babylonica	Weeping willow.
Salix longifolia	Long leaved willow.
Salix nigra	Black willow.

Populus.

Populus grandidentata	Large toothed aspen.
Populus monilifera	Cotton wood.
Populus balsamifera	Balsam poplar.
Populus alba	White poplar.
Populus tremuloides	American aspen.

Order 116. LILIACEÆ.—Lily Family.

Smilax.

- Smilax hispida Greenbriar.
 Smilax herbacea Carrion flower.

Allium.

- Allium tricoccum Wild leek.
 Allium Canadense Wild garlic.

Polygonatum.

- Polygonatum giganteum Great Solomon's Seal.
 Polygonatum biflorum Smaller Solomon's Seal.

Asparagus.

- Asparagus officinalis Asparagus.

Smilacina.

- Smilacina racemosa False spikenard.
 Smilacina stellata False Solomon's Seal.
 Smilacina trifolia False Solomon's Seal.
 Smilacina bifolia False Solomon's Seal.

Uvularia.

- Uvularia grandiflora Bellwort.
 Uvularia perfoliata Smaller bellwort.
 Uvularia sessilifolia Bellwort.

Erythronium.

- Erythronium Americanum Yellow adder's tongue.
 Erythronium albidum White dog's tooth violet.
 Erythronium propullans Dog's tooth violet.

Lilium.

- Lilium Philadelphicum Wild orange red lily.
 Lilium Canadense Wild yellow lily.
 Lilium Carolinianum Lily.

Medeola.

- Medeola Virginica Indian cucumber.

Trillium.

- Trillium grandiflorum.... Large white trillium.
 Trillium erectum Purple trillium.
 Trillium erectum, var viride Trillium.

Chamælririum.

- Chamælririum Carolinianum Devil's bit.

Melanthium.

- Melanthium Virginicum Bunch flower.

Order 117. PONTEDERIACEÆ.—Pickerel weed Family.

Pontederia.

Pontederia cordata, var *angustifolia*Pickerel weed.

Schollera.

Schollera graminea (Heterantherag)Water star grass.

Order 121. JUNCACEÆ.—Rush Family.

Juncus.

Juncus effususCommon or soft rush.
Juncus filiformisRush.
Juncus BalticusRush.
Juncus BufoniusRush.
Juncus tenuisRush.
Juncus articulatusRush.
Juncus alpinus var *insignis*Rush.
Juncus nodosusRush.
Juncus nodosus, var *megacephalus*..Rush.
Juncus Canadensis, var *longicaudatus*Rush.

Luzula.

Luzula pilosaWoodrush.
Luzula campestris, var *pallescens*...Woodrush.

Order 122. TYPHACEÆ.—Cat-tail Family.

Typha.

Typha latifoliaCat-tail flag.
Typha angustifoliaSmall Cat-tail flag.

Sparganium.

Sparganium eurycarpumBur-reed.
Sparganium simplexBur-reed.

Order 123. ARACEÆ.—Arum Family.

Arisæma.

Arisæma triphyllumIndian turnip.

Symplocarpus.

Symplocarpus fœtidusSkunk cabbage.

Order 125. ALISMACEÆ.—Water Plantain Family.

Alisma.

Alisma Plantago var *Americanum*...Water plantain.

Sagittaria.

- Sagittaria variabilis Arrowhead.
 Sagittaria variabilis, var hastata... Arrowhead.
 Sagittaria variabilis, var angustifolia Arrowhead.
 Sagittaria heterophylla Arrowhead.

Order 126. NAIADACEÆ.—Pondweed Family.

Triglochin.

- Triglochin palustris..... Arrow grass.

Potamogeton.

- Potamogeton natans Pondweed.
 Potamogeton natans, var prolixus.. Pondweed.
 Potamogeton mucronætus Pondweed.
 Potamogeton prælongus ... Pondweed.
 Potamogeton perfoliatus Pondweed.
 Potamogeton pauciflorus Pondweed.
 Potamogeton pusillus Pondweed.
 Potamogeton zosteræfolius Pondweed.
 Potamogeton pectinatus Pondweed.

Naias.

- Naias Flexilis Naiad.

Order 128. CYPERACEÆ. — Sedge Family.

Cyperus.

- Cyperus diandrus Galingale.
 Cyperds esculentus Galingale.
 Cyperus strigosus Galingale.
 Cyperus Schweinitzii Galingale.
 Cyperus filiculmis Galingale.

Dulichium.

- Dulichium spathaceum Dulichium.

Eleocharis.

- Eleocharis obtusa (E. Ovata) Spikerush.
 Eleocharis palustris Spikerush.
 Eleocharis acicularis Spikerush.

Scirpus.

- Scirpus pungens Bulrush.
 Scirpus lacustris Great Bulrush.
 Scirpus fluviatilis Clubrush.
 Scirpus sylvaticus Clubrush.
 Scirpus atrovirens Clubrush.

Eriophorum.

- Eriophorum cyperinum Wool grass.

Carex.

Carex festucasea	Sedge.
Carex echinata	Sedge.
Carex polytrichoides	Sedge.
Carex tribuloides var cristata ...	Sedge.
Carex teretiuscula	Sedge.
Carex vulpinoidea	Sedge.
Carex sparganioides	Sedge.
Carex cephalophora	Sedge.
Carex rosea	Sedge.
Carex tenella	Sedge.
Carex scoparia	Sedge.
Carex virescens	Sedge.
Carex staminea	Sedge.
Carex stricta	Sedge.
Carex crinita	Sedge.
Carex aurea	Sedge.
Carex Crawei	Sedge.
Carex stricta var decora	Sedge.
Carex granularis	Sedge.
Carex gracillima	Sedge.
Carex plantaginea	Sedge.
Carex Careyana	Sedge.
Carex laxiflora var patulifolia	Sedge.
Carex eburnea	Sedge.
Carex pedunculata	Sedge.
Carex Pennsylvanica	Sedge.
Carex flava	Sedge.
Carex Oederi	Sedge.
Carex intumescens	Sedge.
Carex Grayii	Sedge.
Carex lupulina	Sedge.
Carex Tuckermani	Sedge.
Carex tribuloides	Sedge.
Carex triceps	Sedge.
Carex Backii	Sedge.
Carex Deweyi	Sedge.
Carex olgiocarpa	Sedge.
Carex scabrata	Sedge.
Carex digitalis	Sedge.
Carex arctata	Sedge.
Carex platyphylla	Sedge.
Carex Muhlenbergia	Sedge.
Carex Mexicana	Sedge.

Order 129. GRAMINEÆ.—Grass Family.

Spartina.

Spartina cynosuroides	Cord or marsh grass.
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Leersia.

Leersia oryzoides	Rice cut grass.
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Alopecurus.

Alopecurus aristulatus Foxtail grass.

Phleum.

Phleum pratense Timothy.

Sporobolus.

Sporobolus vaginæflorus Rush grass.

Agrostis.

Agrostis perennans Thin grass.

Agrostis scabra Hair grass.

Agrostis vulgaris ... Red top.

Agrostis alba White rent grass.

Cinna.

Cinna pendula Wood reed grass.

Muhlenbergia.

Muhlenbergia sylvatic Drop seed grass.

Muhlenbergia Willdenovii Drop seed grass.

Oryzopsis.

Oryzopsis asperifolia Mountain rice.

Cynosurus.

Cynosurus cristatus Dog's-tail grass.

Dactylis.

Dactylis glomerata Orchard grass.

Glyceria.

Glyceria nervata Fowl meadow grass.

Glyceria fluitans Fowl meadow grass.

Glyceria grandis Reed meadow grass.

Poa.

Poa compressa Wire grass.

Poa serotina False red top.

Poa pratensis Meadow grass.

Poa debilis Weak meadow grass.

Festuca.

Festuca elatior Meadow fescue.

Festuca nutans Fescue.

Bromus.

Bromus secalinus Cheat or chess.

Bromus ciliatus Brome grass.

Lolium.

- Lolium perenne Darnel or ryë grass.
 Lolium temulentum Bearded darnell.

Hordeum.

- Hordeum jubatum Squirrel-tail grass.

Elymus.

- Elymus Virginicus Lyme grass.
 Elymus Canadensis Lyme grass.
 Elymus striatus Lyme grass.
 Elymus sativa Lyme grass.

Chrysopogon.

- Chrysopogon nutans Wood grass.

Asprella.

- Asprella hystrix Bottle brush grass.

Danthonia.

- Danthonia spicata Wild oat grass.

Deschampsia.

- Deschampsia cæspitosa Hair grass.

Holcus.

- Holcus lanatus Velvet grass.

Anthoxanthum.

- Anthoxanthum odoratum Sweet vernal grass.

Panicum.

- Panicum sanguinale Crab grass.
 Panicum capillare Old witch grass.
 Panicum latifolium Panic grass.
 Panicum dichotomum Panic grass.
 Panicum Crus-galli Barnyard grass.
 Panicum depauperatum Panic grass.
 Panicum zanthophysum Panic grass.

Setaria.

- Setaria viridis Green foxtail grass.
 Setaria Italica Millet.

Andropogon.

- Andropogon provincialis Beard grass.
 Andropogon scoparius Beard grass.

Agropyrum.

- Agropyrum caninum Spear grass.
 Agropyrum repens Couch grass.

Order 130. EQUISETACEÆ. — Horsetail Family.

Equisetum.

<i>Equisetum arvense</i>	Common horsetail.
<i>Equisetum pratense</i>	Meadow horsetail.
<i>Equisetum palustre</i>	Water horsetail.
<i>Equisetum limosum</i>	River horsetail.
<i>Equisetum hyemale</i>	Scouring rush.
<i>Equisetum variegatum</i>	Variegated horsetail.
<i>Equisetum scirpoides</i>	Little horsetail.

Order 131. FILICES.—Ferns.

Polypodium.

<i>Polypodium vulgare</i>	Polypody.
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Adiantum.

<i>Adiantum pedatum</i>	Maidenhair.
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Pteris.

<i>Pteris aquilina</i>	Common brake.
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Pellæa.

<i>Pellæa gracilis</i>	Cliff brake.
<i>Pellæa atropurpurea</i>	Cliff brake.

Asplenium.

<i>Asplenium Trichomanes</i>	Spleenwort.
<i>Asplenium angustifolium</i>	Spleenwort.
<i>Asplenium thelypteroides</i>	Spleenwort.
<i>Asplenium Filix fœmina</i>	Spleenwort.

Scolopendrium.

<i>Scolopendrium vulgare</i>	Hart's tongue.
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Camptosorus.

<i>Camptosorus rhizophyllus</i>	Walking leaf.
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Phegopteris.

<i>Phegopteris polypodioides</i>	Beech fern.
<i>Phegopteris Dryopteris</i> .	

Aspidium.

<i>Aspidium Thelypteris</i>	Shield fern.
<i>Aspidium Noveboracense</i> .	
<i>Aspidium spinulosum</i> .	
<i>Aspidium spinulosum</i> var <i>intermedium</i> .	
<i>Aspidium spinulosum</i> var <i>dilatatum</i>	
<i>Aspidium cristatum</i> var <i>Clintonianum</i> .	
<i>Aspidium Goldianum</i> .	

Aspidium Filix mas.
Aspidium marginale.
Aspidium acrostichoides.
Aspidium acrostichoides var *incis-*
um.
Aspidium aculeatum.

Cystopteris.

Cystopteris bulbifera Bladder fern.
Cystopteris fragilis Bladder fern.

Struthiopteris.

Struthiopteris Germanica Ostrich fern.

Onoclea.

Onoclea sensibilis Sensitive fern.

Osmunda.

Osmunda regalis Flowering royal fern.
Osmunda Claytoniana
Osmunda cinnamomea Cinnamon fern.

Lomaria.

Lomaria spicant Deer fern.

Order 132. OPHIOGLOSSACEÆ.—Adder's Tongue Family.

Botrychium.

Botrychium Lunaria (Grape fern).... Moonwort.
Botrychium lanceolatum.
Botrychium Virginianum.
Botrychium lunaroides.
Botrychium lunaroides var *obli-*
quum.
Botrychium matricariæfolium.
Botrychium lunaroides, var *dissect-*
um.

Order 133. LYCOPODIACEÆ.—Club Moss Family.

Lycopodium.

Lycopodium annotinum Club moss.
Lycopodium lucidulum Club moss.
Lycopodium complanatum Club moss.

Order 134.—SELAGINELLACEÆ.

Selaginella.

Selaginella apus.

Chara.

Chara fragilis Chara.

Order 137. JUNGERMANNIACEÆ.—Scale Mosses.

Feullania.

Frullania eboracensis.

Rahula.

Radula complanata.

Porella.

Porella platyphylla.

Ptilidium.

Ptilidium ciliare.

Trichocolea.

Trichocolea tomentella.

Lepidozia.

Lepidozia reptans.

Blepharostoma.

Blepharostoma trichophyllum.

Cephalozia.

Cephalozia multiflora.

Kantia.

Kantia Trichomanis.

Plagiochila.

Plagiochila porelloides.

Jungermannia.

Jungermannia oschraderi.

Jungermannia barbata.

Order 139. MARCHANTIACEÆ.—Liverworts.

Marchantia.

Marchantia polymorpha.

Preissia.

Preissia hemisphærica.

Fegatella.

Fegatella (conocephalus) conica.

MUSCI.—Mosses.

Hypnum.

Hypnum Alleghaniense.
 Hypnum chrysophyllum.
 Hypnum curvifolium.
 Hypnum dissitifolium.
 Hypnum haldanianum.
 Hypnum imponens.
 Hypnum lætum.
 Hypnum rivulare.
 Hypnum rutabulum.
 Hypnum salebrosum.
 Hypnum serpens.
 Hypnum splendens.
 Hypnum stellatum.
 Hypnum strigosum.
 Hypnum subcompactum.
 Hypnum trignetrum.
 Hypnum uncinatum.

Mnium.

Mnium affine.
 Mnium cuspidatum.
 Mnium Niagaræ.
 Mnium punctatum.

Polytrichum.

Polytrichum juniperinum.

Eutodon.

Eutodon cladorrhizans.
 Eutodon seductrix.

Sphagnum.

Sphagnum cymbifolium.
 Sphagnum acutifolium.

Webera.

Webera annotina.
 Webera albicans.
 Webera nutans.

Funaria.

Funaria hygrometrica.

Philonotis.

Philonotis fontana.

Anomodon.

Anomodon rostratus.
 Anomodon obtusifolius.
 Anomodon attenuatus.
 Anomodon apiculatus.
 Anomodon viticulosus.

Ceratodon.

Ceratodon purpurens.

Bryum.

Bryum bimum.
 Bryum argenteum.
 Bryum atropurium.
 Bryum caespiticiun.
 Bryum intermedium.
 Bryum Ontariense.

Bartramia.

Bartramia pomiformis.
 Bartramia oederiana.

Desmatodon.

Desmatodon porteri.

Barbula.

Barbula convoluta.
 Barbula recurvifolia.
 Barbula rigida.
 Barbula ruralis.
 Barbula tortuosa.
 Barbula unguiculata.

Leptobigum.

Leptobigum pyriforma.

Grimmia.

Grimmia apocarpa.
 Grimmia Pennsylvanica.

Hedwigia.

Hedwigia ciliata.

Pelychomitrium.

Pelychomitrium incurvum.

Drummondia.

Drummondia clavellata.

Orthotrichum.

Orthotrichum obtusifolium.
 Orthotrichum speciosum.
 Orthotrichum strangulatum.

Neckera.

Neckera pennata.

Leptodon.

Leptodon trichomitron.

Pylaisia.

Pylaisia heteromalla.

Pylaisia intricata.

Pylaisia polyantha.

Leucobryum.

Leucobryum vulgare.

Didymodon.

Didymodon luridus.

Didymodon rubellus.

Aulacomnium.

Aulacomnium heterostichum.

Aulacomnium palustre.

Thuidium.

Thuidium abietinum.

Thuidium delicatulum.

Thuidium recognitum.

Seligeria.

Seligeria recurvata.

Plagiothecium.

Plagiothecium denticulatum.

Dicranella.

Dicranella heteromalla.

Fissidens.

Fissidens adiantoides.

Fissidens deciprens.

Fissidens grandifrons.

Atrichum.

Atrichum undulatum.

Gymnostorum.

Gymnostorum calarens.

Gymnostorum curvirostrum.

Gymnostorum rupestre.

Climacium.

Climacium Americanum.

Dicranum.

Dicranum flagellare.
 Dicranum fuloum.
 Dicranum fusciscens.
 Dicranum montanum.
 Dicranum scroparium.

Lichens.

Ramalina calicaris, var farmacea.
 Ramalina calicaris, var fraxinea.
 Ramalina calicaris, var fastigiata.
 Ramalina calicaris, var parniacea.
 Alecatoria jubata, var chalybeiformis.
 Evernia prunastri.
 Usnea barbata, var hista.
 Theloschistes chrysophthalmus.
 Theloschistes lychneus.
 Theloschistes polycarpus.
 Physcia ciliaris.
 Physcia hispida.
 Physcia hypolencæ.
 Physcia oxina.
 Physcia pulverulenta.
 Physcia speciosa.
 Physcia stelleris.
 Cladonia cristatella.
 Cladonia fimbriata.
 Cladonia furcata.
 Cladonia furcata, var racemosa.
 Cladonia gracilis, var hybrida.
 Cladonia pixidata.
 Cladonia pyridata.
 Cladonia rangiferina.
 Pettigera aphthosa.
 Sticta amplissima.
 Sticta pulmonaria.
 Leptogium tremelloides.
 Leptogium pulchellum.
 Parmelia caperata.
 Parmelia olivacea, var soorediata.
 Parmelia physodes.
 Parmelia saratensis, var sulcata.
 Cetraria ciliaris.
 Placodium corinum.
 Lucanora subfusea.
 Pannaria lanuginosa.
 Brachythecium acuminatum.
 Thamnum Alleghaniense.
 Barbula tornosa.

Queen Victoria

NIAGARA FALLS PARK

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Oct 18/88	V. F. W. H. 1 R
Mar 21/51	Joe W

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